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## LEON MODENA AND THE DA COSTA CIRCLE IN AMSTERDAM

ISAIAH SONNE, Hebrew Union College, Cincinnati

ALMOST two decades have elapsed since I wrote an essay on Uriel Da Costa in which allusion is made to that hub of controversy, the *Kol Sakal* of Leon de Modena.<sup>1</sup> To that essay, my thoughts reverted when 1948 arrived which marks the third centenary of Leon de Modena's death. One naturally hesitates before the unalluring task of re-examining one's former output, especially when knowing that young and capable investigators who have studied the *Kol Sakal* command enough scholarly ammunition and scientific strategy to demolish any construction which is at variance with their own.<sup>2</sup> To my surprise, however, I discovered, after surveying the recent literature upon the subject, that no serious breach had been made in my edifice. This, I perceived, was due not so much to the soundness of my presentation as to the tendency, among leading historians, to ignore what had already been written by others. The disciples of these historians follow their masters, assigning the work of others to oblivion or, at least, discarding the core of that work after ap-

<sup>1</sup> I. Sonne, "Da Costa Studies," *JQR*, vol. XXII (1932), p. 247-293. Although the article appeared in 1932, it was sent to the editor in 1929.

<sup>2</sup> In the last decade, there appeared the following studies dealing with the *KS*: 1) Isaac Einhorn, בחינת הקבלה, *Tarbiz*, vol. XIII, (1942), p. 60s; Benjamin Klar, שאנת אריה על קול סכל, *ibid.*, p. 135s; 3) Judah Rosenthal, לשאלת ההחזקה, של הספר בחינת הקבלה, *Journal of Jewish Bibliography*, vol. IV (1943), p. 32s; 4) Isaac Baer, *History of the Jews in Christian Spain* (Hebrew), 1945, vol. I, note 18 to chap. 4, p. 351-352; 5) Baer, *Galuth*, Schocken Books, 1947, p. 101. Mention may be made also of Baer, "Abner von Burgos," *Korrespondenzblatt* etc, Berlin 1929. Though printed earlier, this reached me only after the publication of my article.

Einhorn's theory that the *KS* is a forgery of the late eighteenth century will not be dealt with, since Klar and Rosenthal have already refuted it. Moreover, I had the opportunity of inquiring into the authenticity of the MS.



propriating parts of it as their own. When we trace the problems besetting the *Ḳol Sakal*, this will become fully evident.

The *Ḳol Sakal* constitutes the first part of a larger pamphlet. According to Leon de Modena, the *Ḳol Sakal* was written in Spain in the year 1500 by a certain Amitai bar Jedaiah ben Raz. The brochure presents the main doctrines of Judaism as formulated by Maimonides<sup>3</sup> and then proceeds to a vitriolic attack upon the oral law and rabbinic tradition in general<sup>4</sup> with particular invective against the *Dinim*, the rites and ceremonies codified in the *Shulḥan 'Aruk*.<sup>5</sup>

The second part of the pamphlet carries the name *Sha'agat 'Aryeh*. The *Sha'agat 'Aryeh*, a composition of not more than four pages, opens the refutation of the attacks on rabbinic tradition in general. Leon de Modena maintains that the *Ḳol Sakal* was handed him in 1622 by a friend coming from the West who, knowing Modena's skill as an apologist, besought him to confute the critic and to repel the assault. Modena reports that he had to delay two years before beginning the venture but that, in 1623, he examined the arguments and prepared a reply. It appears that this reply never got beyond its inception.

No wonder that, from the outset, scholars have been perplexed. Shall Modena's words be taken at their face value? Or is Jedaiah nothing but a fiction masking Modena's own heresies? Reggio, the first editor, as well as Abraham Geiger, both of them well acquainted with Modena's writings and cultural outlook, promptly discovered in the *Ḳol Sakal* traces of Modena's own language and modes of thought. They reached the conclusion that the entire production was Modena's own handiwork and that his purpose was not to defend Jewish tradition but to assail it.<sup>6</sup> With slight modifications, this theory was adopted by later historians. Modena came to be classed as an underminer of the accepted ways and a forerunner of Jewish reform.

The challenger of this theory was Baer. Yet Baer founded his

<sup>3</sup> First section (מאמר ראשון), containing ten chapters, p. 6-20.

<sup>4</sup> Second section (מאמר שני), containing six chapters, p. 21-34.

<sup>5</sup> Third section (מאמר שלישי), divided into four parts corresponding to the division of Caro's *Shulḥan 'Aruk*, p. 36-65.

<sup>6</sup> References to earlier literature on the *KS* are given by Klar and Rosenthal.

conclusions not upon a deeper insight into Modena's cultural surroundings but rather upon an examination of Jewish life in Spain. Baer discovered reasons for surmising that conditions in Spain about the year 1500 may have prompted a small group of Crypto-Jews to favor the rational reforms which the *Ḳol Sakal* envisages. Baer accepted as valid Modena's imputation of a Spanish origin to the *Ḳol Sakal* and therefore deemed Modena's refutation sincere. How amazing that a historian of Baer's caliber should have brushed Reggio and Geiger aside so lightly and should so utterly have ignored the weight of their contentions!<sup>7</sup> A disciple of Baer, taking a fresh look into the matter, revived Reggio's and Geiger's line of reasoning.<sup>8</sup> The result was that Baer, not without reluctance of course, withdrew his conjecture and admitted that the *Ḳol Sakal* may have been a seventeenth century product.<sup>9</sup> Still he does not concede that Modena was its author because "passages picked up at random prove little, and thus far there has been no thorough investigation of Modena's writings or of those produced in his circle."<sup>10</sup> Had Baer deigned to heed such nineteenth century historians as Graetz, Geiger, and others and not merely looked down upon them with disdain, he would have known that these historians did not pick up passages at random and did not decide prior to a thorough investigation of Modena's writings. They themselves conducted that investigation. They

<sup>7</sup> Baer, "Abner," p. 36: "Die frueher fuer seine Autorschaft geltend gemachten Argumente, . . . sind ganz hinfuellig und kaum erwahmenswert (my italics)." That such a sweeping statement was made without reading the arguments seems unbelievable, and yet there can be no doubt that Baer knew little of those arguments (cf. following note).

<sup>8</sup> Klar hardly added anything that Baer, had he cared to, could not have found among the older scholars. Even the main argument attributed by Baer to Klar (שגם ההפילה הקצרה שהעיר עליה קלאר) is simply copied from Libowitch, and was dealt with also in my article (p. 278). Baer fell victim to Klar's perfected technique of modern scientific quotation.

<sup>9</sup> Baer, *History of the Jews in Spain* I, p. 352: כיום אני חוזר בי מן ההשערה . . . שהבעתי אז . . . הדעות הפילוסופיות של קול סכל שייכות לחחילה המאה הי"ז. No specific place is indicated by Baer, and I assume that he thought of Italy, Modena's country.

<sup>10</sup> Baer *ibid.*; הדבר צריך נחוח מקיף של ספרי ריא"מ ושל כל ספרי האנשים מסביב לו; The most penetrating analysis of Modena's works will be of little use to Baer as long as he does not read it.

were justified in saying that the *Ḳol Sakal* bears Modena's impress.

But does this mean that Modena was a crypto-heretic?

## II

About the time that Baer approached the problem of the *Ḳol Sakal* from the Spanish angle, I took to studying it from the standpoint of the situation revolving around Da Costa. As far back as 1923, when reviewing Gebhardt's work on Da Costa,<sup>11</sup> I sensed that Modena had done more to clarify Da Costa's position in the struggle with traditional Judaism than most historians were aware. Since then, I have been endeavoring to define the role of the *Ḳol Sakal* within the Da Costa conflict.

The problem I faced was therefore different from that of Baer and his followers. These men merely inquired whether the heretical ideas in the *Ḳol Sakal* were those of Modena or those of some earlier author who lived in Spain. They did not concern themselves with the entire pamphlet as Modena had arranged and prefaced it. This limitation led them into a morass of guesses and abstractions. In order to keep within the domain of historical reality, I preferred to inquire as to the place of the complete pamphlet within the framework of Modena's literary and polemical activity. Whatever may be our opinion concerning the authorship of the *Ḳol Sakal*, we must lift the veil of secrecy behind which Modena holds the pamphlet hidden. Knowing Modena as we do, we may assume that he strove to provide as many clues as possible. But these clues become serviceable only if we link the pamphlet with certain historical events.

Two facts set us in the right direction:

1. Thanks to the important studies of Blau and of Porges, we are now informed that, in the first stages of the conflict between Da Costa and the Portuguese communities of Amsterdam and of Hamburg (1617), Modena was commissioned to write

<sup>11</sup> *Halekufah*, vol. XXIV (1924), p. 500s. Already there I surmised that Modena's answer to his theses might have had some connection with Da Costa's negation of immortality.

a refutation of Da Costa's strictures upon the oral law.<sup>12</sup> In the pamphlet *Magen Wezinnah* containing Modena's answer, we find the full text of Da Costa's theses in a Hebrew which obviously represents a translation. These are subsequently repeated in condensed form as they are answered seriatim. The same pattern reappears in the *Ḳol Sakal*.

2. Comparing the *Magen Wezinnah* with the subject of our present study, we discern various connections between the contents of the two. This fact did not escape the searching eye of Geiger. No better guess is possible than that of attributing the *Ḳol Sakal* to the same person that produced the theses in the *Magen Wezinnah*, namely, to Uriel Acosta.

But a mere guess, even though correct, failed to satisfy. There was still lacking the solution to the specific problem: Exactly what is the place of the *Ḳol Sakal* in the protracted conflict raging, without surcease, until the death of Da Costa in 1640? It was necessary to follow the course of the struggle closely and to observe carefully the changing positions of attacker and defender. If we would determine where the *Ḳol Sakal* should be placed, we had to investigate the Da Costa drama in its entirety. We consequently fitted our problem into a scheme of "Da Costa Studies," the *Ḳol Sakal* being more important as an incident in the tragedy of Da Costa than as a detached happening in the career of Leon de Modena.

With these considerations in mind, it was not difficult to deduce that the year 1622 marked a turning point in the Da Costa struggle. Previous to that time, the issue involved nothing but oral tradition, that is, rabbinic institutions and observances. It now came to embrace a wider range, namely, beliefs held by Jews and Christians in common, such as the immortality of the soul. This extension, according to Da Costa's own testimony, occurred while he was at work on a pamphlet sustaining his repudiation of the oral law. After telling about the excommunication pronounced against him by his opponents, Da Costa continues: "Under these conditions, I decided to write a book in which I would demonstrate the justice of my cause and prove

<sup>12</sup> Cf. Gebhardt, *Die Schriften des Uriel da Costa*, 1922, p. 248-250.

conclusively from Scripture itself the vanity of all Pharisaic traditions and observances. I would point out the contradiction between such traditions and institutions on the one hand and the Mosaic Law on the other. After having started that work (to tell plainly and truthfully how everything happened, as is proper) it came to pass that constant deliberation brought me definitely to embrace the opinion of those who conceive the rewards and punishments of the Old Testament to be temporal and who do not credit such a thing as the immortality of the soul or a life beyond."<sup>13</sup>

One can feel Da Costa's hesitancy and can perceive what arduous effort it must have cost him to adopt his new course. Add to this that apparently Modena was the first to draw those beliefs into the orbit of discussion in that he tried to show tradition to have been their basis; and we shall not fail to recognize in the *Ķol Sakal* the first draft of Da Costa's book which aimed to solidify his opposition to "Pharisaic traditions and observances" and which must have appeared just before he reached the fatal decision to enlarge the field of battle until it included dogma. The title of the book as originally conceived has been preserved: "Examen das tradicoens Phariseas conferidas con a Ley escrita."<sup>14</sup>

By the time that Modena applied himself to the task of rebutting the *Ķol Sakal*, which was in the latter half of 1623, he may have learnt from Samuel Silva's book on the immortality of the soul, published that same year, that Da Costa had abandoned

<sup>13</sup> Gebhardt, *ibid.*, p. 108; "His ita se habentibus deliberavi librum scribere, in quo iustitiam causae meae ostenderem et aperte probarem ex ipsa lege vanitatem eorum, quae Pharisaici tradunt et observant, et repugnantiam, quam cum lege Mosis traditiones et institutiones eorum habent. *Post caeptum opus* accidit etiam (oportet omnia plane et vere quem ad modum evenerunt, enarrare) ut cum resolutione et constanti deliberatione accederem sententiae illorum, qui legis veteris praemium et poenam definiunt temporalem, & de altera vita & immortalitate animorum minime cogitant."

<sup>14</sup> Gebhardt, *ibid.*, p. 183. We should not be surprised to find this title still in 1624 in Da Costa's answer to Da Silva, because Da Costa had every reason to retain the original title which, stressing the attack against Rabbinic traditions, would assure him the sympathy of the Christian world.



his dissident position. This may have caused Modena to discontinue his attempt at reply.

Such, in broad outlines, was my thesis concerning the *Ḳol Sakal*. For further details on this complicated matter, let me refer to my "Da Costa Studies."

In all of this, I took ample account of what Reggio, Geiger and others had found by way of Modena's style in the *Ḳol Sakal*. I fully recognized this fact but, at the same time, maintained that this feature was entirely compatible with my conclusion. The *Ḳol Sakal* is a Hebrew translation of the Portuguese *Examen das Tradicoens*. Anyone at all familiar with Modena's methods would readily expect of him great freedom of rendering with copious phrasings and insertions of his own. Still I insisted that the fundamental structure of the *Ḳol Sakal* must be ascribed to Da Costa. In a short supplementary article,<sup>15</sup> I called attention to a couplet in Modena's Divan which seems to allude to the *Ḳol Sakal* as a poetic invention. This induced me to concede a greater degree of freedom than I had previously suspected in Modena's handling of Da Costa's pamphlet. But I did not recede from my basic contention that the *Ḳol Sakal* is essentially the *Examen das Tradicoens* translated.

Do subsequent inquiries endorse or dispute my theory? Needless to say that, by those who disregarded Reggio and Geiger, my own studies were ignored even when, mysteriously enough, my suggestions were approximated.

Among recent studies of the *Ḳol Sakal*, Benjamin Klar's article in *Tarbiz* (XIII, 1942, 135 ff.) is the most comprehensive and informative. Klar is not chary of quotations from other scholars. He dwells at length upon my reference to the passage in which Modena calls the *Ḳol Sakal* a poetic invention. His article even cites my casual remark that I had seen the manuscript at Parma and had found it to be in Modena's own handwriting.

But this generosity of quotation subsides as soon as we reach the core of the question. Klar takes no cognizance of my sug-

<sup>15</sup> I. Sonne, "Leo da Modena ueber die Schrift 'kol Sachal,'" *MGWJ*, vol. 77 (1933), p. 384-385.

gestion that the *Kol Sakal* is but the *Examen das Tradicoens* recast in Modena's style. One would gather that I am entirely in accord with Reggio.<sup>16</sup> Klar's erudite article is distinctly misleading.

Does Klar's silence regarding my views indicate assent or dissent? At bottom, his own theory is but a variant of mine. Klar recognizes that the content of the *Kol Sakal* is drawn from elsewhere and reshaped in Modena's own mold. He differs with me only as regards the source. With him the source is not Da Costa's *Examen das Tradicoens*; it is polemical and heretical literature in general. Instead of a concrete historical actuality, Klar offers us a vague historical abstraction.

Such procedure blocks all solutions to our problem. In fact it raises additional problems. Why should Modena have resorted to cryptic language? Why should he have kept his sources hidden? Modena wrote a number of polemical essays, such as his *Magen Wehereb* against Christianity and his '*Ari Nohem* against the Cabala. We might expect him to resort to secretiveness when arraigning Christianity. But what had he to fear when attacking heresy?

<sup>16</sup> Here is another example of Klar's technique of quotation. Dealing with the question whether the *KS* is mentioned by Modena, Klar refers to my article in the *MGWJ*, adding: "By the way, here we have a plain confession from the mouth of Modena that he is the author of the *KS* — a fact already realized by Reggio, but not yet accepted by all the scholars." This presentation, obviously, insinuates that I avoided the issue and tacitly retracted my Da Costa theory. Dr. Rosenthal fell victim to this technique, and after reading Klar's article simply stated: "Sonne has retracted his conjecture of the Da Costa authorship of the *KS* (שונה חזר בו מדעתו הראשונה שאקוסטה הוא) (מחבר הקול סכל)." I am quoting here the end of my article in the *MGWJ* so that the reader may justly evaluate the merits of Klar's technique: "Man wird wohl begreiflicherweise hierin eine Bestätigung der Meinung Reggios und Geigers zu finden geneigt sein, Allein ich glaube, dass mit der Annahme einer redaktionellen Beteiligung und der erdichteten geschichtlichen Einkleidung dem Ausdrucke "Luege" im Epigram Genuge getan ist, und unsere Hypothese ueber den Da Costa Grundstock der Schrift dadurch nicht entkraeftet wird. Allerdings muessen wir aber jetzt der Erdichtung Modenas einen bedeutend weiteren Spielraum einraeumen." I could do no more to stress that, in my mind, the epigram does not invalidate my conjecture regarding Da Costa.

It is otherwise if we view the *Ḳol Sakal* as a personal polemic against Da Costa, a man of distinguished family the honor of which was at stake. Even Da Costa's most rabid opponent, Samuel Silva, in his *Tratado das Immortalidade* published the same year (1623) in which Modena wrote the *Ḳol Sakal*, calls Da Costa "that man whose name I forbear to mention out of regard for his ancestry."<sup>17</sup>

There exists no warrant for Klar's differing conception of Modena's source.

The only outspoken dissent thus far voiced is that of Dr. Judah Rosenthal.<sup>18</sup> In his article "On the Genesis of the *Behinat Hakabbalah*," Dr. Rosenthal surveys various opinions about the *Ḳol Sakal*. Nor does he overlook my own studies. Rosenthal rejects my thesis on the ground that I "failed to prove that there ever was a period in Da Costa's life when he believed in the immortality of the soul and in a reward and punishment waiting in a world beyond." Dr. Rosenthal, apparently demands an array of substantiating "references." My reply is: Beyond Da Costa's own admission, what references do we need? I have already cited Da Costa's confession that entering the ranks of those who disbelieved in immortality was a step which he took while writing his attack on Pharisaic tradition. If further "references" be needed, here is yet another from Da Costa's own writings: "What afflicted and troubled me most in my life was that, for a while, I conceived and imagined that there is for man an eternal reward and an eternal punishment and that, according to his deeds, man receives the one or the other."<sup>19</sup>

Dr. Rosenthal adduces a passage from Da Costa's confession (Gebhardt p. 129) and from a responsum (*ibid.* 185) to the effect that Da Costa never did believe in a hereafter. Rosenthal overlooks that both of these passages refer to a period subsequent to

<sup>17</sup> Gebhardt, p. 159: "Pois vendo, & notando o discurso das cousas desde homem que nam nomeyo por honra do sangue donde procede."

<sup>18</sup> *Journal of Jewish Studies*, 1943, p. 35.

<sup>19</sup> Gebhardt, p. 64: "& de verdade que a cousa que mais me affligiu & cansou nesta vida foi entender & imaginar hun tempo que avia bem & mal eterno para o homem, & que conforme ao que obrassee gonharia o bem ou o mal."

1624. I stated explicitly that Da Costa became a denier of immortality in 1622 and that he added a section on immortality to his *Examen das Tradicoens* at that time.

As for Prof. Baer whose authority Rosenthal invokes, Prof. Baer has given up the very views for which Rosenthal claims Baer's support. Baer's trained apprehension of historical realities forced him to move toward my own position. From ascribing the *Ḳol Sakal* to Spain of the year 1500, Baer came, fifteen years later (1945), to posit Italy and the seventeenth century.<sup>19a</sup> After abandoning the theory about Spain, Baer's journey in my direction was rapid. Baer announced the conclusion that the author of the *Ḳol Sakal* belonged to the circle of Da Costa.<sup>20</sup> But Baer still failed to grasp the real Da Costa. Da Costa continued to be for him nothing but a type, an abstraction, a personification of radicalism and subversive criticism. Since the Da Costa of Baer's conception fails to fit into the system outlined in the *Ḳol Sakal*, Baer had to invent an author belonging to Da Costa's circle. A scrutiny of Da Costa at closer range would have convinced Baer that the living historical Da Costa went through a long period of struggle, oscillating between affirmation and negation, before he reached the very acme of heresy and became negation incarnate. Once Baer realizes this, nothing will prevent his joining us as we identify that anonymous author from the circle of Da Costa with Da Costa himself in one of the earlier stages of his career.

### III. LEON MODENA AND DAVID FARRAR

While little has been accomplished in the last two decades in the way of a new approach to the central problem of the *Ḳol Sakal*, considerable has been achieved at the periphery. The background of the heresies then prevailing has been subject to further exploration. I am greatly indebted to these investigations of Baer and his school. Transferring the conflict from the Ghetto of Venice to the newly founded Marrano communities of Amsterdam and

<sup>19a</sup> Cf. above, note 9.

<sup>20</sup> Baer, Galuth, 1947, p. 101.

Hamburg, an enlarged background was indispensable for my own thesis.

Let us venture some peripheral exploration of our own. We have taken for granted that Modena's participation in the Da Costa affair was not limited to what we can gather from his *Magen Wezinnah* where he functions merely as a mouthpiece for the Venetian Rabbinate, faced with the task of answering the eleven questions posed by Da Costa and sent from Hamburg to Venice in 1616. On the contrary, we assumed that Modena followed the entire struggle with keen interest.

In order to comprehend the part which Modena played as spokesman for the Venetian Sephardic community, it is necessary to glance at the difficulties and perplexities besetting Sephardic communities in general. It is well known and was especially stressed by Gebhardt that the Marranos suffered from a split conscience acquired during the centuries in which they led a double life — a Christian life forced on them externally and a Jewish life longed for inwardly.

Nor was that the only conflict from which they suffered. An additional dichotomy was inflicted on them by the church. This is the cleavage exhibited in the vast literature of polemics traceable back to notorious renegades like Abner of Burgos and his like. The aim of this literature was to reshape the Neo-Christian mind and to facilitate the absorption of the Neo-Christians into the Christian world. This literature attempted to remove the obstacles which impeded the merger. These polemicists soon found themselves confronting an insoluble dilemma. The factors which hindered the amalgamation were twofold and of such a nature that eliminating the one only strengthened the other.

One of these obstacles was Jewish rationalism. Maimonides had enunciated the compatibility of Jewish doctrines and reason. But this rationalism was contrary to the mysticism, the anti-rationalism of Christian dogma. Rationalism had to be combatted. Mystic tendencies, widespread among the Jews of Spain just before the expulsion, had to be encouraged.

The other obstacle was the Marrano attachment to Jewish rituals. Rituals involve the opposite of reason. Rituals root in



mysticism. To counteract the leaning toward Jewish ritual, the church had to invoke the very rationalism which it otherwise opposed. Using arguments largely of Karaite derivation, Christian polemic had to ridicule "rabbinic superstition."<sup>21</sup> It had to restore the appeal to the intellect which it had previously discredited. The undertaking was hopeless. On the one hand, if the church abandoned the rational and upheld the mystic, she strengthened allegiance to Jewish ceremonial. On the other hand, if by condemning "rabbinic superstitions," she enthroned reason, she weakened the hold of her own mysteries. What wonder that so many Marranos remained Jews!

Two groups can accordingly be distinguished in the new Marrano communities. There were those whose return to Judaism was prompted by a rationalistic dislike of Christian mysteries. This group contained those descended from the Averroists, generally blamed for the disaster which overtook the Jews of Spain. The other group consisted of those who had abandoned Christianity under the mystic lure of Jewish ceremonial. The result was that the factions which had existed among the Jews of Spain were resuscitated, the Maimonidean and rationalistic, on the one hand; the Cabalistic and mystic, on the other. Inevitably the cohesiveness of the community was menaced by their friction.

Nor were these the only disruptive influences. One can see how those respective trends carried to an extreme might draw Jews back into the Christian orbit, thus endangering the community's very existence.

The rationalistic strain would hardly stop with its rejection of the Christian mysteries. Its antagonism would extend to the "rabbinic superstitions," thus resuming the work of the Christian polemicists. In the case of Uriel Da Costa, this actually happened. Da Costa's initial heresy, as set forth in his eleven queries, can be traced back to Christian polemical literature particularly to Abner of Burgos.<sup>22</sup>

<sup>21</sup> That the Christian attack on the Talmud and rabbinic tradition should be traced back to Karaitic sources has been shown convincingly by Baer in his study of Abner of Burgos.

<sup>22</sup> Cf. the interesting document published by Cecil Roth, "The Strange Case of Hector Mendes Bravo," *HUCA*, vol XVIII (1944), p. 221s. Bravo

The Marranos of the other group were predisposed, by their mystical predilections, to take over various concepts of Christian eschatology. This rendered them susceptible to the Christian polemics conducted, at that time, by means of pamphlets and disputations.<sup>23</sup> Obviously the rational wing was the better equipped to resist those attacks. The two groups might have divided, between themselves, the defense of the infant community, the rationalists defending against assaults from without, the mystics combatting subversive elements within.

Struggling with a Christian tradition which had the weight of centuries in its favor, both groups felt the need of outside aid. Both groups turned to Venice whose Sephardic community had sponsored most of the burgeoning Marrano congregations.<sup>24</sup> By a strange coincidence, the person who sought the counsel and assistance of the Venetian community against the Christian polemicists was a man who was later himself accused, before that same community, of holding heretical views dangerous to the newly formed Marrano congregation at Amsterdam. The name of that man was David Farrar. Fortunate was the Sephardic community of Venice that it had the counsel of Leon Modena with his exceptional equipment for dealing with delicate questions of that kind.<sup>25</sup>

relates that when he exposed his doubts to the Ḥakam Isaac Uziel, the latter admonished him "to avoid the opinion of the Carraini" (p. 243).

To the Da Costa group seems to have belonged the brother of Diogo Gomes Duarte who, according to Bravo, "is an Epicurean or Atheist, not believing in any religion" (p. 237). In view of the many names by which Uriel Da Costa went — one of them "Gomes" according to Seeligmann — (cf. Gebhardt, l.c., p. 277) one may be tempted to venture the identification of this "atheist" with Uriel Da Costa.

<sup>23</sup> Cf. Roth, l.c., p. 243. According to Bravo his reconciliation with the Catholic Church was due to the activity of a Franciscan friar.

<sup>24</sup> Cf. Cecil Roth, "Les Marranes a Venise," in REJ, vol. 89 (1928), p. 2018. About the relation between the Sefardic community of Venice and the Portuguese community in Amsterdam cf. Brugmans & Frank, *Geschiedenis der Joden in Nederland*, 1940, p. 226.

<sup>25</sup> In his approbation of Isaac Atias' "Tesoro de Preceptos," Venice, 1627, Modena says that he has been in the service of that most noble nation (the Sephardic community) for a long time (. . . "por la degnissima e nobilissima Nation sua, *alla quale tanto tempo e che'io vivo servitore*").

We owe our knowledge of the relations between Modena and David Farrar to two letters of the former, one published by Brugmans and Frank in *Geschiedenis der Joden in Nederland* (1940), pp. 224, 225.<sup>26</sup> The other, here published for the first time, will be found in an appendix. The letter published by Brugmans is an official missive, written in Hebrew, in the name of the Sephardic community of Venice and addressed to the rabbinat of Salonica "in defense of Dr. David Farrar." From this letter we learn that, six months previously, rumors had reached Venice about suspicions of heresy cast upon Dr. David Farrar by some Rabbis of Amsterdam. The council of the Venice Sephardic Community had thereupon undertaken an investigation. The detailed reasons for suspecting Farrar of being "a despiser of the words of the sages and a denier of the oral law" were brought before a communal court. The court duly issued its verdict: "After hearing the witnesses and the defendant's proxy and after due deliberation, we come to the conclusion that Dr. David Farrar is a loyal Jew, believing all that it is incumbent upon a Jew to believe . . . that he respects the Law and the Sages . . . This, written down by us and signed by us, we hand over to him as a certificate."<sup>27</sup>

In the sequel, Modena alludes to the circumstances out of which the accusations arose. Says Modena: "Even if he explains, as figures of speech, certain passages which yield no meaning when taken literally; or if he interprets various biblical verses by a method different from that of Rashi and other old commentators, that involves nothing wrong. Such is done by every scholar and every preacher, in printed books and in sermons. Nor is it error if he disbelieves that anyone today is capable of producing effects by pronouncing the Divine Name or by any other Caba-

<sup>26</sup> The letter is inserted in Modena's Responsa collection, "Zikne Jehudah." A photographic reproduction of the letter is given by Brugmans & Frank.

<sup>27</sup> כי דבר זה סיימתי קמן זה כששה חדשים הניעו לאזנינו חשרות האיש הלו אשר הטילו עליו איזה חופשי התורה שם בעירו, כי חקרנו ודרשנו בדקדוק יתר דקה מן הדקה, וסוף דבר הובאו לפנינו כל הפרטים אשר עליהם נחשד הרופא הנ"ל למלעיג על דברי חז"ל וכופר בתושבע"פ וקבלת חכמים. ומפי מורשה שלו ועדיות בכתב עמדנו על אמתתן ובוריין של דברים ונתברר אצלינו הרופא הנ"ל יהודי כשר ומאמין בכל הראוי להאמין לכל בר ישראל . . . נושא פנים לתורה ולחז"ל . . . וכתבנו וחתמנו בידו לעדות וראיה.

listic device . . . Such is the nature of all the accusations brought against him. We have investigated all of them . . . Our court acquits him."<sup>28</sup>

These are the salient points in the controversy between Farrar and the Rabbis of Amsterdam. All of the accusations point to a close connection between the Farrar upheaval and that of Da Costa. What makes this observation particularly cogent is the fact that, as determined by the editor, the date of the letter is 1618, that is to say, immediately after Da Costa had been put under the ban for the first time. Would not this account for the sensitiveness of Amsterdam's conservative Rabbis? Any liberal utterance or any criticism of the Cabala must have revived in them distressing memories of Da Costa's contumacy.

The chief importance of the letter for us lies in the evidence it furnishes of the continued interest taken by the Venice community and by Modena, its spokesman, in the Da Costa affair and in its aftermath to which belonged the case of Farrar.

Entirely different is Modena's second letter which we publish here in our appendix.<sup>29</sup> This letter is written in Italian. Farrar is the addressee and considerable intimacy between Farrar and Modena is displayed. At first glance, the letter looks like a literary exercise. It contains Modena's answers to Farrar's nine questions. But, upon closer examination, we glimpse the real purpose of the questions. Several of the queries deal with topics pivotal in the Jewish-Christian controversy. This is especially true of the second question which tackles the problem whether the Mosaic Law will continue in force after the advent of the Messiah. It is well known that, in Christian polemical circles, great importance was attached to that issue. The letter

ואם יפרש איזה א' ממאמרי חז"ל הבלתי מתישבים אל הדעת בפשט אותיותיו בדרך צורה<sup>28</sup> או יאמר בפשט הכתובים דרך אחר לא דרך בה דש"י והמפרשים הקדמונים ז"ל, הלא זה דרך כל מעיין ודרשן מאשר דבריהם נראין בדפוס או נשמעים בבכ"נ ובכתי מדרשות ואין זה עון אשר חטא. ואם אמור יאמר היווח בלתי מאמין שימצא היום פועל בשמות ובקבלה מעשית . . . לא אשם להם וכיוצא באלה הן הם האשמות אשר הטיחו נגדו רודפיו חנם על אשר חקרונו ושפטנו ושמענו התנצלותיו ויצא זכאי מבית דינו.

<sup>29</sup> I copied the letter from a note book of Modena which I discovered sixteen years ago in the library of the Jewish community in Ancona. It contains many interesting items, and I hope to publish a detailed description of the whole MS.

before us handles rabbinic passages which figured in the standard Christian arguments for the abrogation of the Mosaic Law. The Christian-Jewish conflict lurks in the background of most of the other questions likewise, as we shall presently show in our notes.

Had we no other evidence that Farrar was involved in a Jewish-Christian conflict, we might attribute his interest to mere curiosity or to literary alertness. But a pamphlet which appeared in Amsterdam in the year 1608 shows plainly that Farrar grappled publicly with a well known and zealous controversialist, the Christian preacher, Hugh Broughton. The title of the pamphlet reads: "Our Lordes / Famile /; And Many Other Pointes / Depending Upon It: / opened against a Jew, Rabbi David Fa / rar, who disputed many houres, / with hope to overthrow the / Gospel, opened in Ebrew explication of Christia / nities; / That instructed / Rabbi Abraham Ruben / . . . By H. Broughton / Printed at Amsterdam in the yere 1608." In this debate, as in most of Broughton's writings, millenary speculations centering in the visions of Daniel occupy an important place. Compare with this the passage in our letter where Modena alludes to a previous communication: "I have referred to this explanation in my other letter when dealing with the fourth beast in the vision of Daniel." There can be little doubt that the correspondence between Modena and Farrar was prompted by the latter's need for authoritative Jewish interpretations of the biblical and rabbinic passages seized upon by Christian polemicists. Farrar needed those interpretations for the purpose of refuting Christian claims.<sup>30</sup>

<sup>30</sup> A full description of the pamphlet with a reproduction of the title page is given in the lucid article of L. Hirschel, *Een godsdienstdispuute te Amsterdam in het begin der 17de eeuw*," (A Religious Dispute in Amsterdam at the Beginning of the Seventeenth Century), Amsterdam 1929. Hirschel gives also all the information available about the persons engaged in the dispute, i. e. Broughton and Farrar. Here we may add something to the elucidation of the obscure person "Rabbi Abraham Ruben," mentioned in the title page, who corresponded with Broughton. Hirschel is inclined to accept Steinschneider's opinion that there never existed such a person, that we have here a mere fiction. However, Roth's document mentioned above, note 23, seems to provide us with the right person. Indeed, the document gives us the precious infor-



The letter which we publish here bears no date. Nor do the contents disclose any date. All that we can say for certain is that it cannot be later than 1624, the year of Farrar's death. I prefer, however, an earlier date, about 1610, which was soon after Farrar's dispute with Broughton. It were reasonable to suppose that the dispute of 1608 aroused considerable interest among Christian theologians and that lively discussion and correspondence followed in its wake. This was probably the time when Farrar sought Modena's advice about countering the various objections raised by the Christian opponents.

To sum up, the relations between Farrar and Modena appear to have proceeded as follows: David Farrar, a representative of the rationalistic trend among the Marranos, championing his newly recovered Jewish faith, engaged in controversies with Christians. Like his mediaeval predecessors, he found himself obliged to oppose the Cabala and to negate the authority of certain rabbinic utterances or to interpret them figuratively. At

mation about a convert named Francisco de S. Antonio whom Bravo has identified with a former "Abraham Ruben," a native of Fez. Francisco was a teacher in the elementary school of the Sephardic community in Amsterdam. For certain reasons, he had to flee to Antwerp where he had been received in the Christian faith. Once again he returned to Amsterdam and tried to make peace with the Jewish community, but without success. (Roth, *The Strange Case, HUCA*, 1944, p. 223-224). It appears quite natural that a man of such unstable religious conviction should have endeavored to get into contact with the zealous Broughton either in Amsterdam or in Antwerp.

While in New York, I had the opportunity to examine Broughton's pamphlet in the JTS Library, and to substantiate some of my conjectures. Indeed, at the end of the dispute we read as follows: "David (Farrar) the Jew: 'I will write a book in Latin that answer you in print.' Br(oughton): 'As the Thracian modestie provoked me in Ebrew, so therin will I answer from Rabbins owne syllables.'" This is followed by a chapter with the heading: "Of the angels determining clearly when Moyses lawes should be buried, by the burial of Christ . . ." (F, end).

Here we see a) that the dispute was to be continued "in print;" b) that the main theme to be discussed was the abolition of the law of Moses; c) that Broughton intended to prove his thesis from rabbinic sources ("from Rabbins owne syllables"). Farrar's first two queries fit perfectly in this picture. They deal with rabbinic sayings which allegedly assert the abolition of the Mosaic law after the advent of the Messiah.

the same time, he must have felt that, without the approval of some recognized Jewish authority, he might offend the somewhat conservative Rabbis of Amsterdam. He therefore decided to obtain guidance from Venice, the mother community. The heads of the Venice congregations handed the letter to Modena and commissioned him to answer it. Modena, who was himself fond of religious disputation, recognized in Farrar a kindred spirit, and they soon became close friends.

As long as the rationalistic trend in the infant community of Amsterdam kept within the bounds of tradition, Farrar who followed Modena's counsel, remained unmolested. But when the left wing rationalists, led by Da Costa, overstepped the limits, suspicion descended upon the entire rationalist movement. Farrar's enemies accused him of being one of Da Costa's followers. When the case reached the Sephardic court in Venice, Modena, as might have been expected, took up the cudgels in behalf of his friend and pronounced Farrar a defender of Judaism.

If our surmise be correct — and that is what all signs seem to indicate — relations between Modena and the Da Costa circle in its period of moderation and particularly with Farrar were intimate and of long standing. Undoubtedly Modena had his channels through which he became informed of happenings in the Da Costa conflict. Surely Modena must have been aware of Da Costa's fresh attack on rabbinic tradition in his *Examen das Tradicoens*.

It follows that matters actually occurred as related by Modena in his preface to the *Kol Sakal*: a.) Modena did receive the book from an intimate friend in 1622, b.) That friend came from Western Europe, c.) That friend was someone who knew Modena's gifts as a disputant, d.) That friend asked Modena to write a refutation. All of this comports with our surmise how Modena received and reacted to Da Costa's *Examen das Tradicoens*.

## APPENDIX

All'ecc[ellentissi]mo S[igno]r David Farar in Amsterdam,  
Risposte a certe dimande.

Ecc[ellentissi]mo S[igno]r mio.

Gratissima m'è stata la facondissima e più grata mi fora se l'humilta sua non l'avesse indotto ad abasar se tanto sublime e sublimar me tanto basso, ma in somma pongasi pur da parte ogni termine di circostanze, e resti certo che io sarò sempre tanto appresso per servirlo, quanto lontano d'habitatione. Non sarò più lungo che tanto in risposta di quelle cosette che SS richiede, per diversi travagli et affanni, travali di quelli che e(') nemica della virtù et affani che porta con se l'ordinario de'studiosi, ma con ogni brevità risponderò ad ogni capo.

1) Quanto che la solenità della Pasqua non sia per dismettersi mai credo anch'io così; è ben vero che si trova un detto di nostri savij che tutte le solennità devono esser nulli al tempo del Massiach, fouri che quella del Purim, ma se deve intendere come dice il profeta, ecco giorni vengono che non si dirà più viva il Signore che cavò Israele da Egitto, ma ecc., e dichiarano nostri savij non che sia nulla la materia, ma rispetto alla redentione ultima, così non è per cassarsi la solennità, ma sarà nulla rispetto alle altre, e così giova e si deve credere, per serbare che mai un minimo punto della legge di Moise sia in alcun tempo per mutarsi.

2) Circa che sia al hor lecito di magnar carne di porco, è marcia bugia, perche quel detto che si chiama Cazir che è verbo di ritornare, perche deve essere ritornato a Israel cioè concesso, non deve essere inteso in altra maniera che Ella dice haver esposto, e ch'anco io gli accenai in l'altra mia per quella quarta bestia di Daniel ecc., avvertendo che chi volesse allegare in contrario un autorità del Midras Tilim sopra le parole del Salmo 146 il Signor scioglie i legati e che dice universalmente che tutte le cose immonde devono alhor essere lecite, si gli dirà che oltre che ciò sia opinione d'alcuni e non accettata, come si vede dicendo Jes Omerim, e poscia in prima, questa opinione ancora è fondata sopra il creder che gli animali in se siano all'hora per mutare natura, il che se fosse non si chiamerebbe cangiare legge, ma che si cangiasse la qualità della cosa restando la legge nell'esser suo,

così non si può dire che sia venuto il Messia e però fatto lecito il mangiare di tutto, vedendo noi che niun animale ha cangiato natura, e ciò anco così sotto brevità per difendere l'opinione di quello che così dice nel Midras, benché so può anche atternersi all'altra.

3) Che gli idoli dell'Egitto material[men]te patissero, e fosse così osservato quello ch'Iddio haveva detto, è certissimo, così affermino sicuramente nostri savij in Scemos Rabba cap. 15, dicendo che fece Dio percossere all'ora li dei loro insieme, si squagliava come da principio come è detto e nelli dei loro fece il Sig[no]re giudizi tutti gli idoli del mondo si dispersero fuori che Baal Zefon per farli errare. Quelle sono parole del Midras, et il Zohar sopra quel verso e gli Egitti seppelivano quel che percosse il Sr. in essi ogni primogenito e nelli dei loro fece il Sig [no] re giudizi dice che seppelivano le ossa degli agnelli che per sacrificio hanno Israel magnato e gettati intieri nelle piazze, essendo gli arienti lor dei, sì che senza dubbio materialmente loro dei patirono, e ben che cabalistacamente se dice che patisse l'angelo loro principe nel cielo o vogliam dire il segno di quel pianeta influente in essi, non si può negare però che il literale e l'effetto seguito non fosse negli idoli materiali.

4) Il sacrificio pasquale doveva essere cert[tamen]te da agnelli di pecora e capra non d'altro, e quel verso sacrificarai Pasqua al Signore Iddio tuo pecore e buoi deve essere inteso pecore per agnelli pasquali e buoi per altri sacrificij di pacificazione e della festa. E vero che Rabbi Abram Aben Ezra scrive questa opinione che fuori d'Egitto fosse lecito pigliare di vitelli, ma non l'admette e dice che la prima è la vera. Ma che non se ne mangiasse se non quanto un'oliva, questo è sciocheria, è ben vero che non se ne potea magnare meno, ma più quanto voleano.

5) Quanto al farsi conoscere per hebreo non stimo che vene sia necessita alcuna, il negarlo è ben peccato, e confessarlo è ben dovuto, il publicarlo per honor di Dio, ove non sia pericolo, è ben fatto, ma non bisognando, essendo il pericolo piuttosto sempre pronto che non in questa cattività nostra, lodarei il tacerlo.

6) Che Iddio andasse con Israel in persona, per così dire, nel deserto questo si vede che sì per molti luoghi della Scrittura, che

non allongarò, in che VS. molto bene li havrà notati, e se ciò non era che occorreva quella disputa di Moise con Dio nell'Esodo capitolo 33 quando diceva di mandare l'angelo e infiniti detti di nostri sayij l'affermarono che lo stesso Dio l'accompagnò lui sempre nel deserto.

7) Che gli idoli antichi e quando Israel (li?) servirano dassero verament ricchezze e beni, diremo che certo no perchè niun può beneficiare se non il sommo Creator, e chiaro disse per bocca di Osea che essi stimavano ben così che la fertilità e l'abondanza prevenisse da quelli iddoli, ma lei non sa dice Osea al 2, 10, ch'io gl'ho dato il frumento, il mosto e l'oglio, e così il Chimchi in tutti simili lochi aggiunge esponendo "lefi daatam" cioè per l'intendere loro, che si immaginavano che il bene li venisse da essi, ma non era realmente e tutto il vaneggiare loro nel servirli non era altro che il stimarli habili a darli ricchezze e beni il che non era.

8) Quello che si dice che Iddio mutasse li nomi de gl'angeli nel tempo della distruzione della sua casa santa, è, credo io, una significazione che non valevano scongiuri . . . ? a riparare ove era il peccato, perchè gl'angeli prendano il nome dal opera e non l'opera dal nome come dicono li cabalisti, si che vuol dire che fu negato l'aiuto ancora che l'invocassero da tutti i soliti angeli, e così accenna Jeremia nelle Lamentationi molte volte.

9) L'esser Micael apellato precinpe de Israel non si può negare, poichè in Daniel è chiaro che così lo chiama e tra detti dei sayij mille volte, vi sarà bene questa differenza dal principato suo sopra Israel e quello che tenevano gli altri angelici principi sopra gli altri genti, che quelli saranno non solo protettori loro, ma gli sarà assignato il governo di essi quasi totalmente, e Iddio benedetto levatosene quasi, lacsierà quello che ne sia il motore, ma che Israel non ne lascia la cura ad altri che a se stesso, e Micael resti solamente semplice avvocato protettore e fautore, però il regimento di essi viene immediatamente da Dio. Il che VS. vedra espresso in quella parola di Mose nel Deuter. al 4, (19): forse alzarai gli ochi al cielo ecc. tutto l'esercito dei cieli e che divise il Signor Dio quelli a tutti popoli et voi pigliò il Signore ad essergli popolo d'eredità ecc.

Questo è quanto mi concede il . . . ? et occupationi fastidiose



da poter dire alla VS. Ecc[ellen]te per non lasciar indecisi li suoi quesiti, ancora che so che il parer mio sia d'autorità tanta povera che non potrei arricchire le cose sue, per (se) stesse valide e rette.

Nostri savij di qua sono persone intente as altre cose e materie di legge civile, io resto in sommo debito sempre a suoi piaceri e comandi e VS. per ogni sua felicità et contento pregarò sempre

VS. Ecc[ellentissi]ma

Ill[ustrissi]ma

per servirla sempre

Leon Modena

#### TRANSLATION

Most Illustrious Sir David Farrar,

In Amsterdam,           Answers to certain inquiries.

My Most Excellent Sir: —

Your most amiable letter brought me much gratification. My pleasure would have been still greater had not your modesty caused you, exalted as you are, to humble yourself and to extol such an inconsequential person as me. Circumlocutions aside, be assured that the distance which separates us by no means impairs my eagerness to serve you. I shall not be lengthy in my replies. Various troubles and afflictions restrain me, troubles which are the foe of virtue and afflictions such as befall the studious. I shall answer every question briefly.

1) That the observance of Passover will never be abrogated, I agree. According to our sages, to be sure, all of the festivals except Purim will be obliterated in the Messianic Age.<sup>1</sup> But this should be understood in the sense of Jer. 16.14: "Therefore, behold, the days come, saith the Lord, that it shall no more be said: 'As the Lord liveth, that brought up the children of Israel out of the land of Egypt', but: 'As the Lord liveth, that brought

<sup>1</sup> Midrash Mishle on verse 9.2: לא יהיו ימי הפורים לא יהיו שבטלים המועדים יהיו בטלין וימי הפורים לא יהיו שבטלים לעולם.

up the children of Israel from the land of the north, and from all the countries whither He had driven them.' " Our sages do not mean that the festivals will disappear. They were speaking comparatively. They had in mind the redemption. The festivals will not be abolished but, by comparison with festivals later to be instituted, they will seem as *if* abolished. This is the opinion we should embrace, holding fast to the principle that not an iota of the Mosaic Law will ever undergo change.<sup>2</sup>

2) The notion that the eating of swine's flesh will be permitted in the Messianic Age is a detestable falsehood. As you have explained it and not otherwise are we to understand the oft heard remark that the Hebrew word for swine's flesh is *Hazir* (which means a returning) because, in the Messianic Age, the practice of eating it will return to Israel.<sup>3</sup> I have alluded to this explanation in my other letter, the one dealing with the fourth beast in the vision of Daniel.<sup>4</sup>

\* The Midrash discussed here constituted one of the standard arguments in the mediaeval disputations in Spain, and was often dealt with by Jewish apologists. Cf. Solomon Adret, *Responsa*, vol. I, #93: ורבו המפרשים הגדה זו; Isaac Abravanel, *Yshuoth Meshiho*, towards the end (ed. Karlsruhe 1822, p. 50a); David ben Zimra, *Responsa*, vol. II, #828 (ed. Venice, 1749, p. 43a). Modena's explanation of the Midrash corresponds on the whole to that of Abravanel which reads: ואמנם מה שאמר שכל המועדים בטלים חוץ מפורים ויוהכ"פ אין זה בטול מצוות המועדים . . . שאי אפשר שיפול בהם שנוי כי אם בטול מעלת זכירתם . . . אבל בזמן הגאולה לגדל מעלתה על גאולת מצרים לא ישימו לב אל זכרון יציאת מצרים . . . ובמאמר 'הנביא הנה ימים באים נאם ה' לא יאמרו עוד וכו' Modena, in all probability, used Abravanel.

<sup>3</sup> This Midrash was still more popular with the Christian polemicists than the preceding one and remained very popular even at the time of Modena (cf. for example Fioghi and Morosini).

The source of this *dictum* may be traced back to the following two Midrashim: a) Tanhuma, Lev., 11.7: שעתיד הקב"ה לחזיר, (מלכות אדם) למחזור עליה את מרת הדין. b) Koheleth Rabba 1.9: (ר' מאיר) לחזיר עליה את המלכות לבעליה. Bahya, commentary on Lev. 11.7 quotes the Tanhuma adding: ויש נוסחאות שכתוב עתיד הקב"ה להחזירו. לנו, וההמון מבינים שיהיה טהור לישראל. In this last form it is also quoted by Abrevanel, l. c. and Ben Zimra, l. c.

<sup>4</sup> Although Modena does not relate what was Farrar's explanation adhered to by himself, it is not difficult to guess. The fact that such explanation was connected with the interpretation of the fourth beast in the vision of Daniel makes it clear that the saying was referred to the Roman Empire, the fourth

In that letter, I treated the passage in the Midrash to Ps. 146.7 which explains "The Lord looseth the prisoners" to signify that, in the Messianic future, unclean animals will become clean. On this let me comment: 1) That the Midrash voices an individual opinion not a generally accepted doctrine. This is shown by the words "some say,"<sup>5</sup> and 2) That this opinion rests upon the thought that, in the Messianic Age, the nature of animals will change. This would mean not a change in the Law but a change in the animals, the Law remaining unaltered.<sup>6</sup> When we consider that, as yet, a change in the nature of animals has, by no means, occurred, it is obvious that the Messiah has not yet come and that the eating of certain foods is not yet permitted. Succinctly expound this and thereby defend the Midrash, although the opposite view also has its validity.

3) It is true, beyond doubt, that the idols of Egypt suffered punishment in a physical sense and that the words of God in Ex. 12.12 were fulfilled: "Against all the gods of Egypt will I

kingdom. This explanation was generally accepted among the mediaeval commentators. Cf. for instance Reccanati, commentary on Pentateuch, Lev. 11.7: וכבר ידעה מה שדרשו רז"ל למה נקרא שמו חזיר, שעתיד הקב"ה להחזירו אלינו, ובזיקרא רבה למה נקרא שמו חזיר שמחזיר עטרה ליושנה, והכוונה היא על הכח שלו שהיא החיה הרבה למה נקרא שמו חזיר שמחזיר עטרה ליושנה. . . . Similarly Bahya, l. c.; Abravanel, l. c.; Ben Zimra, l. c. Modena's immediate source was, in all probability, Abravanel.

<sup>5</sup> *Midrash Tehilim*, ed. Buber, p. 268a: מהו מתיר אסורים, יש אומרים כל הבמה: שנטמאת בעוה"ז מטהר אותה הקב"ה לע"ל. . . . ויש אומרים אינו מתירן לעתיד לבוא. This Midrash is always quoted together with the preceding Midrash.

<sup>6</sup> In a more elaborate form, Modena expresses the same idea in his *Bet Jehudah*, at the end of tractate Niddah: אמר הבונה עקר גדול צריך להיות בידיו: נצחיות החורה ושלא תשתנה אפי' כקוצו של יוד, ולכן אעפ"י שלכאורה נראה . . . שהכריע ר' יוסף מהברייתא הזאת כדאימת במדר' ה' מתיר אסורים ה' מתיר איסורים, ולמה נקרא שמו חזיר שעתיד הב"ה להחזירו לישראל דברים כפשוטן מה שאין רוח רבים מהחכמים נוהג הימנו, יש להבין אפי' כפי הדעת הזו שלהיות שלע"ל יטהר ויסדר הב"ה עולמו כדכתיב ואת רוח הטומאה אעביר מן הארץ, או ישתנה טבע הבעלי חיים כדכתיב וגר זאב . . . אפשר שישארו כמה דברים אסורים . . . מותרים אז. ובכן יהיו מצות בטלות לע"ל לא מפאת עצמן והשתנות בתורה אלא שלא יצטרך עוד לנהוג בהן והבן מאד.

Here too Modena may be dependent on Abravanel who quotes the answer given by the rabbis in the disputation of Tortosa (1414) which reads: וכן מה: שאמרו בב"ר למה נקרא שמו חזיר שעתיד הקב"ה להחזירו לישראל. . . . וכבר השיבו על זה המתוכחים דברים טובים. . . . אבל רצה לומר שלעתיד לבוא יהיו בני אדם כל כך שלמים בשכלם ורעם עד שלא יצטרכו אל אוהרות הטומאות והנדות כח כולם יהיו נוהרים מעצמם מעשות כדברים הרעים.

execute judgments." The following is what our sages affirm in Exodus Rabba XV, 16: "What did God do? He smote not only the Egyptians but also their gods. The gods dissolved and reverted to formlessness. Such is the meaning of Num. 33.4: 'Upon their gods also the Lord executed judgments.' " According to the Midrash, all of the idols in the world perished except Baal-zephon who remained in order to turn people from the right path. Thus far, the Midrash.<sup>7</sup>

The Zohar (ed. Cremona, Ex. col. 30) comments on the verse: "While the Egyptians were burying them that the Lord had smitten among them, even all of their first-born, upon their gods also the Lord executed judgments" (Num. 33.4). The Zohar says that the Egyptians buried the residue of the paschal lambs, the children of Israel having eaten the flesh and cast the bones into the street. Since the lambs were Egyptian deities, it is plain that the Egyptian deities suffered physical punishment.<sup>8</sup> Cabalistically, of course, the Zohar explains "executing judgment against all the gods" as referring to the Egyptian guardian angel in heaven or to the planet by which the Egyptians were influenced.<sup>9</sup> At the same time, it cannot be gainsaid that punishment overtook the gods in a physical sense.

4) The paschal offering definitely had to consist of a young sheep or goat or lamb, not any other type of animal such as a calf. Deut. 16.2, "And thou shalt sacrifice the passover-offering unto the Lord thy God, of the flock and the herd" should be understood thus: small animals, that is flock animals should be used for the offerings of Passover while large animals, that is, herd animals were admissible for peace-offerings, festive-offerings, and the like<sup>10</sup> R. Abraham ibn Ezra cites the opinion that, out-

<sup>7</sup> Exodus Rabba 15.16: מה עשה הקב"ה, הכה את אלוהיהם עמהם מי שהיה של עץ היה נרקב ושל אבן היה נמס ושל זהב ושל נחשת החיכוך כשם שהיו מתחלתן שנאמר ובאלוהיהם עשה ה' שפטים. וכל עבודה זרה שבעולם אברו חוץ מבעל צפון, למה, בשביל להטעותן.

<sup>8</sup> Zohar, Exod., ed. Ams. 18a: אמר ר' אלעזר אלוך של מצרים שהיה וצוה הקב"ה לעשות: ואת היתה למצרים קשה מבולן בו שפטים לשרוף אותו באש . . . ועוד שעצמותיו מושלכים בשוק. זאת היתה למצרים קשה מבולן.

<sup>9</sup> *Ibid.*: אמר ר' יהודה באלוהיהם ממש, והו' שר שלהם.

<sup>10</sup> This harmonization of the two apparently contradictory verses, Exod. 12.5 and Deut. 16.2 is attributed in the TP (Pes. 6.1) to Hillel: על ג' דברים עלה: כתוב אחד אומר וזבחת פסח לה' אלהיך צאן ובקר וכתוב אחד אומר מן הכבשים הלל מבבל . . . כתוב אחד אומר וזבחת פסח לה' אלהיך צאן ובקר וכתוב אחד אומר מן הכבשים הלל מבבל . . . Cf TB, Pes., 70b.

side of Egypt, the paschal offering might consist of an animal like an ox or a calf. But this opinion Ibn Ezra rejects. The correct explanation is the one first mentioned above.<sup>11</sup>

That one might eat of the paschal lamb a quantity not exceeding the size of an olive is a foolish remark.<sup>12</sup> Less than that amount was insufficient but, beyond that amount, one might eat as much as one's heart desired.

5) As regards the question whether one should divulge one's identity as a Hebrew, I should say that such is not obligatory.<sup>13</sup> To deny that one is a Jew is, of course, sinful. It is one's duty to profess one's Jewishness if asked. It is meritorious to declare it openly for the honor of God when there is no special danger. But, in our present state of captivity when Jewishness may entail peril, silence becomes praiseworthy, except when one is under command to act otherwise.

6) That, so to speak, God in person went with Israel through the wilderness is indicated in many scriptural passages. This you have well shown. To the number of these passages, I need not

<sup>11</sup> Commentary on Deut. 16:2: צאן, לחיוב הפסח, ובקר, לשלמים... ויש אומר כי במצרים אמר כבש או עז ועתה בקר אם יוכל, והראשון הוא הנכון.

<sup>12</sup> This assertion was probably based on a wrong interpretation of the passage in the Mishnah, Pes. 8:3: לעולם נמנין עליו עד שיהא בו כזית או כגרגרת. At first sight the last two questions, 3 and 4, seem to be purely academic. However, we must keep in mind the important role of the Passover lamb in the Christian conception, and we shall not fail to realize that these two questions were also in some way connected with Christian disputations. As matter of fact, the convert Giulio Morosini, formerly Samuel Nahmias, pupil of Modena, in his missionary work *Via della fede*, 1683, dedicates chapter 33 (p. 589-614) to this subject: "che non si deve osservare la Pasqua Mosaica, ma la Christiana, di cui quella era figura."

The abolition of sacrifices, and especially of the Passover, were discussed by Broughton and Farrar, witness the following passage in Broughton's pamphlet: "In denial that our Lord's supper ended the lawfulness of sacrificing. M. Livelihoods I cited . . . how he held sacrifices lawful in Vespasian times, so the Jews held . . . *So Farrar the Jew*, et they be equallie enemies to Christian faith. Christians think, that our Lord's death ended sacrifice offering" (H2a).

<sup>13</sup> This question introduces us to the very core of the world of the Marranos in Amsterdam with its specific problems. As has been pointed out above (note 22), the Marranos, even after returning to their ancestral faith, used various aliases to conceal their Jewish identity (Gebhardt, l. c. p. 277; Roth, Mendes Bravo), and this weighed heavily upon their religious conscience.



add. That God would send His angel (Exod. 32.34), as stated in the course of the argument between God and Moses, proves, like numerous sayings of our sages, that Israel was accompanied in the wilderness by God Himself.<sup>14</sup>

7) To the question whether the ancient idols, when worshiped by Israel, blessed them with wealth and prosperity,<sup>15</sup> my answer is unequivocally "No." None except the Supreme Creator has the power to confer benefits; as God imparts through the mouth of the prophet Hosea, "For she did not know that it was I that gave her the corn, and the wine, and the oil" (Hos. 2.10). In such connections Kimchi always appends: "*Lefi Da'tam*," "according to their opinion." The people imagined that good came to them from the idols. This was, of course, not so. Their foolish worship of the idols rested on that false notion that idols are capable of bestowing wealth and fortune.

8) Of the saying that, when His Holy House was destroyed, God changed the names of the angels,<sup>16</sup> I take the meaning to be that all supplications and invocations proved impotent to avert the catastrophe, owing to the fact that the people had persisted in their sins. Angels derive their names from their acts and not inversely, as the Cabalists assert, their acts from their

<sup>14</sup> The election of Israel as a people of which God takes special care was a favored topic dwelt upon by the Jewish apologists of the time. So, for instance, Saul Mortera called his apologetic work "Providencia de Dios con Israel" (MS in HUCL) in which this point is especially stressed. Likewise Isaac Cardoso in his "Las Excellencias de los Hebreos," Ams. 1679, dedicates his first chapter ("Primera Excellencia de los Hebreos; pueblo escogido de Dio") also to the same subject, namely, that unlike other peoples, Israel has always been under the direct rule of God.

<sup>15</sup> The basis for this question seems to have been the verse in Hos. 2.7: "For she said: 'I will go after my lovers that give my bread and my water'" etc. The implication seems to be that, like all the other nations, Israel too received its blessing through an intermediary and not directly from God. This question is therefore closely connected with the preceding question.

<sup>16</sup> I am unable to locate this sentence. There are several Midrashim about the role which the angels played at the destruction of the Temple, but none of them mention that their names were changed. All of them stress that the angels pleaded in vain with God and that they participated in the mourning for the Temple (cf. Pesikta Rabbati, ed. Friedmann, p. 134a, 135b and editor's notes. Cf. also Kalir's elegy לחורבן בית המקדש).

names. The above mentioned saying therefore means that, despite the people's beseeching of the usual angels, deliverance was not granted. This is often intimated in the Lamentations of Jeremiah (3.8, 44).

9) That Michael is the Prince of Israel is not to be denied. He is definitely named as such in Dan. 12.1 and also in numerous sayings of the sages. Still there is this difference between Michael as the representative of Israel and the angels representative of the other peoples. The latter are vested not merely with the guardianship but with the entire rule over their protégés. God, blessed be He, has, as it were, withdrawn and left those angels in complete charge. But the care of Israel God never entrusted to anyone but Himself. Michael was only their guardian, their advocate, their defender. From God alone emanated their government. This concept your excellency can find expressed in the words of Moses: "Lest thou lift up thine eyes unto heaven . . . even all the host of heaven . . . which the Lord thy God allotted unto all peoples under the whole heaven" etc.<sup>17</sup>

This is all that my state of health and my exacting occupations allow me to transit to your excellency in answer to your inquiries. I am well aware that my opinion is of too little moment to enrich any further your store of correct and valid information. As for our local sages, these are intent upon other subjects, such as civil law.

Ever praying for your happiness and welfare and always ready to serve your illustrious excellency, I am,

Leon Modena

<sup>17</sup> It is quite clear that the purpose of this question was to show that Israel, like all the other nations, has his guardian angel as mediator between God and Israel. It is therefore an elaboration of question 7. In the solution of the question, Modena once again drew upon Abravanel, this time upon the latter's commentary on Deut. 4.19: מהוורא שלהיות ככל הגוים שרי מעלה משיפיעים על אומותיהם ומצליחים אותם אולי יבואו בני ישראל לעבדם ככל הגוים בעבור שיטיבו עמם, וכמאמר הנשים המקטרות ומאו חרלנו . . . (ירמ' מ"ד, 18) אמנם ישראל אינם תחת ממשלה המזל כי לקחם השם לנהלם והוא המשפיע עליהם לא שר אחד . . . ואין להקשות על זה ממה שנ' בספר דניאל מ' כ א ל ש ר כ ס , כי הנה לא אמר שר ישראל . . . כי אם שרכם אשר הכונה בו כמו שפירש הרמב"ן שר משרת לבקש רחמים לא שר מלכות וממשלה . . . וזה שאמר אח"כ גם כן ובעת ההיא יעמר מיכאל השר הגדול העמר על בני עמך, ר"ל שיעמוד להמליץ טוב עליהם.

## A 16TH CENTURY HEBREW CRITIQUE OF PHILO

(Azariah dei Rossi's *Meor Eynayim*, Pt. I, cc. 3-6)

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WITHIN a century or so after the death of Philo of Alexandria his writings were copied, circulated and quoted by Christian scholars and continued to be almost their exclusive property until well into the 19th century.<sup>1</sup> Throughout the Talmudic and medieval periods of Jewish scholarship Philo remained unknown to all but a handful of rabbinic scholars.<sup>2</sup> It is all the more interesting, therefore, that one of the most comprehensive and detailed critiques of Philo to be found in early modern literature was made by an Italian Jewish scholar writing in Hebrew. Unfortunately this Hebrew critique of Philo has been almost as completely ignored by students of Philo and of Renaissance-Reformation biblical literature as was Philo himself by rabbinic scholars.

It is true that Azariah dei Rossi's *Meor Eynayim*, in which this important critique appears, was consulted by several of the

<sup>1</sup> See the ancient *Testimonia* in Mangey's 1742 edition of Philo, i.xxi-xxix. and in the *editio maior* of Cohn-Wendland, i.lxxxv-cxiii. Cohn and Wendland begin their Prolegomena with the statement, "Philonis Alexandrini memoria a Iudaeis non minus quam a paganis fere neglecta tota pendet ab ecclesia Christiana." See also the literature on "Philo in Later Christian Tradition" in Howard L. Goodhart and Erwin R. Goodenough, *A General Bibliography of Philo Judaeus* c.xxx, printed with Erwin R. Goodenough, *The Politics of Philo Judaeus* (New Haven, 1938).

<sup>2</sup> Philo may possibly be punningly alluded to as *Peloni* "someone" in *Midrash Tanna'im* 6.7 and *Tosephta Yebamoth* 3.4, according to Louis Finkelstein, "Is Philo Mentioned in Rabbinic Literature?," *Journal of Biblical Literature* 53 (1934) 142-149. For Philo's (indirect) influence on Judaeo-Arabic writers see Samuel Poznanski, "Philo dans l'ancienne littérature judéo-arabe," *Revue des Études Juives* 50 (1905) 10-31. Poznanski suggests that it was through a Christian Syriac translation of Philo that he became known to Oriental Jews, such as Benjamin al-Nahawendi, Saadia and David b. Merwan, in the 9th and 10th centuries.

great Christian Hebraists of the 17th and 18th centuries, such as Bartolucci, Bochart, Buxtorf, Hottinger, Lowth, Morin and Voisin.<sup>3</sup> But of these only Morin seems to refer to Azariah's chapters on Philo, and his references are confined to a few lines.<sup>4</sup>

Among recent Jewish scholars there appear to be only two who have given at least a bare summary of Azariah's discussion of Philo. One is Norman Bentwich, in his admirable little work on Philo:<sup>5</sup>

The first Jewish writer to show an intimate acquaintance with him [Philo] and a clear idea of his relation to Jewish tradition was Azariah dei Rossi, who lived in the sixteenth century. His "Meor Einayim" dealt largely with the Hellenistic epoch of Judaism, and its attitude towards it is summed up in the remark that "all that is good in Philo agrees with our law." He pointed out many instances of agreement, and some of disagreement, but he objected in general to the allegorizing of the historical parts of the Torah and to the absence of the traditional interpretations in Philo's commentaries. He shared largely the rabbinical attitude and could not give an independent historical appreciation of Philo's work. That was not to come for two hundred years more. To Dei Rossi we owe the Jewish translation of Philo's name יְדִידְהוּ אֶלְכַסְנַדְרִי. To the outer world Philo was "the Jew," to his own people, "the Alexandrian."

The other passage is found in Salo Baron's competent though rapid summary of Azariah's ideas.<sup>6</sup> Baron alludes in passing to Azariah's views on Philo as follows:<sup>7</sup>

<sup>3</sup> See I. Broydé's article on Azariah in the *Jewish Encyclopedia*.

<sup>4</sup> Professor H. A. Wolfson was good enough to have sent to me the Harvard University Library copy of Jean Morin (Iohannes Morinus), *Exercitationum Biblicarum de Hebraei Graecique Textus Sinceritate Libri Duo* (Paris, 1660). The only reference to Azariah that seems important is that on pp. 189 f., "Philo Hebraicae et Chaldaicae linguae penitus ignarus. Legem aureis literis non esse scribendam nupera traditio. Verba illa Cain: transeamus in campum Philo, Onkelos etc. Azaria teste referunt."

<sup>5</sup> *Philo Judaeus of Alexandria* (Philadelphia, 1910), 236-237.

<sup>6</sup> "Azariah de Rossi's Attitude to Life," *Israel Abrahams Memorial Volume* (New York, 1927), 12-53.

<sup>7</sup> P. 13 n. 4. Baron's page references are to the Ben Yaakob and Cassel editions of the *Meor Eynayim*.

Cf. especially his sharp polemics against Philo's admission of a primordial matter (I, 96 seq.; C. 192 seq.) . . . This harshness is understandable in view of the fact that Philo was very popular in Italian Jewry, as we learn from Azariah himself (I, 112; C. 129), his own opinion about the Sage of Alexandria, after a long discussion (ch. 3-6), being rather equivocal. Cf. also I, 106 n. (C. 123 n.).

This observation about the lack of reference in modern literature to Azariah's chapters on Philo should not be taken to mean that the two passages cited above are the only references *überhaupt*, for Baron cites Azariah's comments on Philo's doctrines in two other passages of his essay,<sup>8</sup> as does H. A. Wolfson in his *Philosophy of Spinoza and Philo*,<sup>9</sup> and it is probable that other incidental references would turn up if the works of modern historians of Hebrew literature were carefully scrutinized. But it seems to be a fact that an adequate account of this 16th century critique of Philo has nowhere been given. This is the justification for undertaking the present study.

Though it is not very different in style from late medieval Hebrew works of philosophy,<sup>10</sup> the *Meor Eynayim* is a novelty in Hebrew literature because of its abundant citations from classical, patristic, and Renaissance authors as well as from rabbinic literature. Azariah read Latin as well as Italian easily, and even knew some Greek, but how far he consulted pagan and Christian Latin writers directly rather than through excerpts in 15th and 16th century writers like Marsilio Ficino, Pico della Mirandola, Eugubinus (Augustinus Steuchus)<sup>11</sup> and others, it would be difficult to say. The probability, however, is that he knew many of the ancient writers at first hand or at least, in the case of Greek writers, through Latin translations.

Azariah's knowledge of classical literature, while impressive, was not unique and was probably not greater than that, for example, of his elder contemporaries Elijah del Medigo and

<sup>8</sup> Pp. 15, 35.

<sup>9</sup> (Cambridge, Mass., 1934), i.110.243; (Cambridge, Mass., 1947) i.100.

<sup>10</sup> For help in interpreting several knotty passages in Azariah I am indebted to my colleague, Professor Samuel I. Feigin.

<sup>11</sup> On Eugubinus see below.



Leone Ebreo (Judah Abravanel),<sup>12</sup> whose *Dialoghi d'Amore*, incidentally, may originally have been composed in Hebrew.<sup>13</sup> But Azariah, it should be noted, has given a more detailed account of Hellenistic Jewish literature than anyone writing in Hebrew before the 19th century.

The *Meor Eynayim*, first printed at Mantua between 1573 and 1575,<sup>14</sup> may be described as a treatise on various aspects of Jewish history and religious tradition, designed to vindicate the claim of Judaism to be a revealed religion. The work is divided into three unequal parts. The first and shortest, called *Qol Elohim* ("The Voice of God"), is a description of the earthquake that occurred at Ferrara in 1571. The second part, called *Hadrath Zeqenim* ("Glory of the Elders"), is about twice as long as the preceding, and is a retelling of Pseudo-Aristeas' account of the translation of the Pentateuch into Greek. The third part, called *Imrey Binah* ("Words of Understanding"), is several times as long as the first two parts combined; it contains 60 chapters on various aspects and periods of Judaism. The first of the four sections into which it is divided consists of 13 chapters dealing chiefly with the period of the Second Temple, especially with the Greek diaspora. Part of chapter 3 and all of chapters 4 to 6 are devoted to Philo.

What impresses a modern reader of the work is not so much Azariah's extensive knowledge of pagan and Christian literature<sup>15</sup>

<sup>12</sup> See H. Pfaum, *Die Idee der Liebe. Leone Ebreo* etc. (Tübingen, 1926), and A. R. Milburn, "Leone Ebreo and the Renaissance" in J. B. Trend and H. Loewe, *Isaac Abravanel* (Cambridge, 1937). For a general sketch of Italian Jewish culture during the Renaissance see Cecil Roth, *The History of the Jews of Italy* (Philadelphia, 1946), 193-227.

<sup>13</sup> See H. A. Wolfson, *op. cit.*, I.12 n. 2; II.14.

<sup>14</sup> The edition cited in this paper is that of David Cassel (Wilna, 1866). Cassel's text has been collated with the texts of the Vienna edition of 1829 and the Warsaw edition of 1899. Cassel, it may be noted, gives page-references to Philo from the Mangey edition to aid the reader in locating the Philonic passages mentioned by Azariah. For the convenience of modern readers I have given the corresponding section-numbers of the Cohn-Wendland edition of Philo.

<sup>15</sup> According to the Index of Authors in Cassel's edition Azariah refers to more than a hundred Greek and Latin authors throughout the whole work.

as his skill in comparing the theories of ancient and contemporary philosophers and theologians with those stated or implied in biblical and Talmudic traditions.<sup>16</sup> One must also admire Azariah for his courage in publishing a work that was somewhat critical in its attitude toward rabbinic tradition, especially in matters of chronology. The book had not been completely printed when Azariah was severely criticized for his unorthodoxy by several of the leading Rabbis of northern Italy, even though they would today be regarded as more liberal than most of the Jewish scholars of eastern Europe of a much later period. For at least 60 years after its publication the *Meor Eynayim* might be safely read only by those Italian Jews who received special permission from their rabbinic authorities.<sup>17</sup>

Some notion of the diversity of sources used by Azariah in his chapters on Philo may be obtained from the following list of the authors whom he cites (here mentioned in the order of their appearance; those marked with an asterisk are referred to several times).

*a. Rabbinic authorities of the post-Talmudic period:*

Menahem ben Benjamin Recanati, Italian Jewish Kabbalist of the 13th–14th centuries, whose commentary on the Torah was translated into Latin by Pico della Mirandola.

\*Abraham ben Ezra.

\*Yosippon, called by Azariah "Josephus of the Jews" to distinguish him from Flavius Josephus, "Yosippon" being the popular name of a Hebrew history of the Jews, probably composed in the 10th century, supposedly by Joseph ben Gorion.

\*Isaac Arama, 15th century Spanish Jewish Kabbalist and Talmudist, author of a famous homiletical-philosophical exposition of Scripture, called '*Aqedath Yisḥaq*' ("The Sacrifice of Isaac").

<sup>16</sup> For some illustrations of this see Baron's essay.

<sup>17</sup> See David Kaufmann, "Contributions à l'histoire des luttes d'Azaria de Rossi," *Revue des Études Juives* 33 (1896) 77–87, and "La défense de lire le *Meor Enayim*," *id.* 38 (1899) 280–281.

Judah Moscato, Rabbi of Mantua, a contemporary and friendly critic of Azariah.

Saadia.

Hai Gaon, leading authority on Talmudic studies in Babylonia during the 10th–11th centuries.

David Kimchi, 1160–1235, famous French Jewish exegete and grammarian.

\*Maimonides.

Judah Abravanel, known to Christian scholars as Leone Ebreo (see above).

\*Nachmanides.

Samuel Biba (Samuel Sarsa), author of *Meqor Hayyim* ("Fountain of Life").

Solomon ben Abraham Adret, popularly known as Rashba, 13th Century Spanish Rabbi, a pupil of Nachmanides and author of numerous works, including a refutation of Raymond Martini's *Pugio Fidei*.

\*Judah ha-Levi.

Asher ben Yehiel, popularly known as Ha-Rash, 13th–14th centuries, author of a famous compendium of Talmudic law.

Eliezer Ashkenazi, 16th century author of *Maasey YHWH*.

*b. Pagan and Hellenistic Jewish authors:*

Cicero.

\*Plato.

Homer.

Hermetic treatise, *Poimandres*.

Galen.

Josephus, whom Azariah calls "Josephus of the Romans" (see above on Yosippon).

Curtius.

Xenophon.

Macrobius.

\*The Septuagint.

*c. Early Christian authors:*

Lactantius.

Origen.

\*Justin Martyr.

\*Jerome, called "the Christian translator."  
Eusebius.

Paul, called "the chief apostle."

Augustine, called "the chief of Christian scholars."

*d. Medieval and Renaissance writers:*

Marsilio Ficino.

Campirio of Leon (Symphorien Champier), 1472-1539, teacher of Servetus and author of works on astrology and Kabbalah.

Gelenius, the translator of Philo into Latin (see below).

Annius of Viterbo (Nanni), author of the Pseudo-Philonic *Breviarium de temporibus*, Rome, 1498, and other forgeries.<sup>18</sup>

Pico della Mirandola.

Eugubinus (Augustinus Steuchus; see below).

"Xenophon," probably a pseudonym of Annus of Viterbo.

Teseo Pavese, 16th century, author of *Introductio in Chaldaicam linguam . . . et decem alias linguas et earundem conformatio mystica et cabalistica*, Pavia, 1935.<sup>19</sup>

Pagninus (Santes Pagninus), Italian Dominican, died 1541, author of *Thesaurus Sanctae linguae*, based on David Kimchi.

Of the authors that come under the last heading the most important for the study of Azariah's Philonic criticism is Eugubinus (Augustinus Steuchus), whom Azariah calls "Bishop (*Hegemon*) Eugubino." Born at Gubbio in 1496, he became bishop of Kisamo in Crete in 1538, and prefect of the Vatican library in 1542. Three of several volumes written by Eugubinus on the subjects of biblical philology and exegesis were evidently consulted with care by Azariah; these are *Recognitio veteris testamenti ad Hebraicam veritatem collata etiam editione Septuaginta interpretum*, Venice, 1529, *Cosmopoeia vel de mundano opificio, expositio trium capitum Genesis in quibus de creatione tractat Moses* etc., Lyon,

<sup>18</sup> See the Goodhart-Goodenough Bibliography (cited in Note 1), Nrs. 1587-1596.

<sup>19</sup> For help in identifying Eugubinus, "Xenophon" and Teseo Pavese, and for bibliographical information about Eugubinus I am greatly indebted to my friend Professor B. L. Ullman of the University of North Carolina.

1535, *De perenni philosophia libri X*, Leyden, 1540.<sup>20</sup> Because of the relatively frequent allusions in Azariah to Eugubinus' views of Philo and related subjects, and the inaccessibility of his works in this country, I have given in Appendix I excerpts of a few passages by way of illustration (with slight orthographical changes).

As for Eugubinus' position in the history of biblical scholarship it may suffice to mention Freudenberger's opinion that he deserves the title of "a pioneer of critical studies," at least so far as the Vulgate text is concerned. For Azariah it must have been a matter of particular interest that Eugubinus defended the accuracy of the Vulgate against the criticisms of the Jews and their Christian followers, and that at the same time he excuses Jerome's doubtful rendering of Gen. 2.6 on the ground that he was misled by the Septuagint, as was Philo who apparently knew no Hebrew. It may also have been the example of Eugubinus that prompted Azariah to argue that the ancient oriental and Greek philosophers, including Hermes Trismegistus (*i. e.* the Hermetic treatise *Poimandres*) supported biblical cosmogony; but, of course, Azariah may just as well have followed Eugubinus' predecessor Pico della Mirandola in this line of argument (see the passages mentioned below). In any case, a detailed comparison of Eugubinus' discussion of Philo with Azariah's deserves a separate study; perhaps it will be undertaken by one of the scholars engaged on the Renaissance project being carried out by Professor Paul Kristeller and his associates.

There remains the question of the particular text of Philo used by Azariah. One would, of course, expect it to be one of several editions of Gelenius' Latin translation, which contained 43 treatises bound in one volume, as Azariah describes his text at the beginning of chapter 4. With the help of a number of sample page-references furnished by me, Mr. Howard Goodhart,

<sup>20</sup> Of these only the *Recognitio* and the *De Perenni Philosophia* (Basel, 1542) were accessible to me through the courtesy of the authorities of the Newberry Library in Chicago. For some passages on Philo in the *Cosmopoeia* I have depended on the comprehensive work by Theobald Freudenberger, *Augustinus Steuchus aus Gubbio . . . und sein literarisches Lebenswerk* (Münster i. W., 1935) = *Reformationsgeschichtliche Studien und Texte*, Heft 64/65.



owner of a fine collection of Philoniana and co-author of the most complete bibliography of Philo,<sup>21</sup> has established the Paganus edition, published at Lyons in 1555,<sup>22</sup> as the one used by Azariah. Mr. Goodhart was also kind enough to send me his own copy of this text and thus enabled me to transcribe the Latin passages, translated more or less literally by Azariah; these are given in Appendix II together with a literal rendering of the Hebrew.

Azariah's discussion of Philo begins in chapter 3,<sup>23</sup> which is introduced with the statement that he is to be called "Jedidiah (*Yedidyah*) the Alexandrian" in the fashion of the time, since his Hebrew name, meaning "friend of God," corresponds to the Greek name Philo. Azariah then gives a brief characterization of Philo, anticipating his later criticism of Philo's unorthodoxy, which, like the former, is rather equivocal. "He was recognized as one of the noblest of our people, living a little before the destruction of the Second Temple, and he thought and wrote much that is worthy of notice. Although this man is indeed suspect in my eyes of not being wholly orthodox, still I do not wish to pass arbitrary and absolute judgment upon him," and more in this vein. Then follows a passage of about five pages on the Jewish sects in the time of Philo as described by Josephus. Azariah understands Josephus to say that the Essenes were Hellenistic Jews,<sup>24</sup> and suggests, partly on the basis of a fanciful etymology, that the Boethusians, now generally considered a Sadducean group, were really Essenes<sup>25</sup> and differed from the Sadducees in their belief that the soul survives after death. The

<sup>21</sup> See Note I.

<sup>22</sup> *Philonis Iudaei scriptoris eloquentissimi ac philosophi summi lucubrationes omnes quotquot haberi potuerunt nunc primum Latinae ex Graecis factae per Sigismundum Gelenium, addito in fine rerum memorandarum indice foecundissimo . . . Lugduni, apud Theobaldum Paganum, 1555.*

<sup>23</sup> Cassel ed. p. 90, Vienna ed. p. 44b, Warsaw ed. p. 74.

<sup>24</sup> See M. Friedlaender, "Les Esséniens," *Revue des Études Juives* 14 (1887) 185, "Déjà Azaria de Rossi avait la notion exacte que les Esséniens étaient des Juifs parlant grec."

<sup>25</sup> He etymologizes the name "Boethusians" (*Heb. Bethusim*) as a compound of *beth* "chamber" and *'Essaya* "Essenes."

discussion of the Boethusians is resumed at the end of chapter 6, where Azariah concludes that Philo was a Boethusian or Essene.

It is, however, only with chapter 4<sup>26</sup> that the detailed analysis of Philonic doctrine begins. After paying tribute to Philo's literary skill and philosophical learning, Azariah proceeds to demonstrate that Philo believes man to be ignorant of the true nature of the physical universe<sup>27</sup> and of the soul, whereas the Sages<sup>28</sup> held a different view. Then, in an unobtrusive aside, he partially justifies philosophical doubt about the fate of the soul by pointing out that "the Gentile scholar," *i. e.* Cicero, says the same thing in the *First Tusculan* in a passage where he agrees with Rabbi Meir (*Bereshith Rabba*, chap. 9) that death is a good thing. "But," he continues, we "must not conceal the fact that all the doubts expressed by Jedidiah, as we have reported them, in particular those concerning the survival of the soul, are expressed by him only from the point of view of human wisdom, in the manner of Koheleth when he speaks like a man deprived of divine inspiration, saying (Eccl. 3.21), "Who knows the spirit of man that goes upward?"

Nevertheless, Philo's writings "are filled to the brim" with the orthodox doctrine that the soul survives after death, as Azariah shows from several passages, especially *De Fuga* 50 ff., with which he compares passages from the Palestinian and Babylonian Talmuds. Moreover, he says, Philo in stating that the soul is eternally blessed as well as immortal goes beyond Plato who, according to Lactantius, (*Institutes* vii.8) believed only in the survival of the soul. There are other passages in Philo, including *De Somniis* i.139, which show that he believed in the soul's return to the body. "And similarly, if you will examine the index of his works for the word 'soul,' you will find apposite remarks in all his comments about it."

In the following section Azariah, as if expressing an afterthought, remarks that there are passages in Plato's *Phaedo* where

<sup>26</sup> Cassel ed. p. 97, Vienna ed. p. 53a, Warsaw ed. p. 79.

<sup>27</sup> See the quotations from *De Somniis* i.21, 30 ff. in Appendix II.

<sup>28</sup> By "Sages" (Heb. *hakamim*) Azariah means the Rabbis of the Talmudic period.

he speaks of the blessedness of souls in the Elysian Fields (the Latin term is transliterated into Hebrew), which are "for them (*i. e.* the Gentiles) what the Garden of Eden (or Paradise) is for us," although Plato (*Phaedo* 114c) advises against taking these myths literally, in spite of the general truth of the notion that the virtuous will be rewarded. "And it seems that the learned Lactantius, whose statement we have reported concerning Plato's views on the survival of the soul and its not being blessed, did not know this book of his, the *Phaedo*." Thus Azariah politely excuses, instead of reproaching, Lactantius for his ignorance.

That Philo believed in the rationality of the heavenly hosts and in the existence of angels is clear from several passages in his writings, we are told. Moreover, his explanation of the verse (Gen. 6.12) on the sons of God and the daughters of men in *De Gigantibus* 7 agrees with Recanati's commentary on the same verse.

From the subject of angels Azariah proceeds directly to that of God.<sup>29</sup> "Concerning the existence of God, blessed be He, that He is one and absolutely unique and without any admixture of corporeality is one of the assumptions that in all his writings is clear as the sun." There is no polemic, however, against Christian interpretations of certain passages in Philo as foreshadowings of a trinitarian doctrine. Moreover, Azariah assures us, Philo was aware of the difficulty presented by the use of the plural pronoun in several passages (Gen. 1.26, 11.7, 3.22) of Scripture in which God refers to Himself. "He solves the difficulty by saying that the plural number refers to the visible powers of God, blessed be He, either to the power of love or to the power of justice."<sup>30</sup> The same may be said of the passage in *De Abrahamo* 119 ff. on Abraham's vision of the three

<sup>29</sup> Cassel ed. p. 99, Vienna ed. p. 54a, Warsaw ed. p. 80.

<sup>30</sup> Here Azariah refers to the doctrine, frequently mentioned in rabbinic literature as well as in Philo, that the two chief powers or attributes of God are the beneficent or creative power and the kingly or judicial power, respectively indicated by the names "God" and "Lord." Philo and the Rabbis differ, however, in their association of the powers with the names; Philo connects the beneficent power with the name "God," and the judicial power with the name "Lord," while the Rabbis reverse the association.

angels (Gen. 18.2 ff.). Azariah duly notes that Philo's comparison of God's act in creating an intelligible world before creating the sensible world with the procedure of an artisan is a variation of the rabbinic notion, expressed in chapter 1 of *Bereshith Rabba* that as an artisan constructs objects from plans and notebooks, so God consulted the Torah before creating the sensible world. Furthermore, the intelligible world mentioned by Philo "is what the true scholars (*i. e.* the Kabbalists) call the world of emanations and Sephiroth; and thus the whole sensible world was established in time, part by part."

This leads into a rather unsystematic discussion of Philo's Logos doctrine. After calling attention to several passages in which Philo speaks of both the intelligible and the sensible world as "the son" of God, Azariah speaks of the Kabbalistic doctrine of emanations mentioned in Marsilio Ficino's Introduction to his Latin translation of the Hermetic treatise *Poimandres*;<sup>31</sup> this work, he parenthetically remarks, he hopes some day to translate into Hebrew together with other Hermetic books. In finding biblical and Kabbalistic as well as Philonic teaching paralleled by Hermetic philosophy, Azariah has probably been influenced not only by Symphorien Champier (who seems, in turn, to have been dependent on Augustine, whom Azariah describes as "the chief philosopher of the Christians") and Gelenius, whom he mentions in this connection, but also by Eugubinus, whom he does not mention at this point.<sup>32</sup> That there was a continuity in the esoteric doctrine of creation and emanation from Moses and "Hermes" through Plato and Philo to the Kabbalists was a theory accepted and documented by a good many Platonists and biblical exegetes of the 15th and 16th centuries. This eclectic tradition is approved by Azariah in what seems to a modern reader rather unorthodox language, "For so long as you do not transgress the proper limit by ascribing corporeality (to God), you must in every instance hold that though the abstract idea (of God) is divided in our limited conception, it still contains the

<sup>31</sup> The text of Ficino, referred to by Azariah in Cassel ed. pp. 100-101. Vienna ed. p. 55a, b, Warsaw ed. pp. 81-82, is given in Appendix III.

<sup>32</sup> See Appendix I and Freudenthal pp. 203-205.

principle of oneness. For is it not a mere matter of terminology whether it (*i. e.* the Logos) is called "son" or "emanation" or "light" or "sephirah" or "idea," as Plato has it? And Galen has several times well said in his medical writings that we do not perceive the difference between one man and another through their names." This statement is followed by references to Champier and Gelenius.<sup>33</sup>

In the next section<sup>34</sup> Azariah singles out several passages in Philo, notably *De Vita Mosis* ii.14-24, in which the Alexandrian philosopher seeks to show the eternal validity of the Mosaic law and its superiority to all others. He also cites a similar passage from Josephus.<sup>35</sup> But even more important to Azariah, it seems, is Philo's insistence that though many passages of Scripture have a symbolical meaning, we must not neglect the literal meaning or fail to observe the commandments mentioned therein. Among various Philonic passages on this subject he quotes at length from the well-known one, *De Migratione* 89 ff. in which Philo rebukes the extreme allegorists. Similar views, Azariah reminds us, were held by Isaac Arama, author of the '*Aqedath Yisḥaq*. Azariah then refers briefly to half a dozen illustrations of Philo's skill in allegory, and sums up this part of his critique by saying, "In general, as you go from chapter to chapter in the forty-three treatises mentioned above — and you can easily find them by looking up their titles in the table of contents —, it will become clear to you that on the subject of God and the

<sup>33</sup> In the Lyons edition of Gelenius' translation of Philo there is no such "Introduction" as Azariah mentions, but at the end of the volume there is an *Epistula Nuncupatoria*, in which Gelenius says, "Mihi Plato potius φιλονίξειν videtur, id est Mosen aemulari, cuius Philo fuit discipulus. Constat enim Platonem in Aegypto peregrinatum, ubi audisse non magis Aegyptiorum quam Iudaeorum ἱερογραμματεῖς."

<sup>34</sup> Cassel ed. p. 102, Vienna ed. p. 55b, Warsaw ed. pp. 82-83.

<sup>35</sup> Azariah writes, "These statements are made by Josephus of the Romans, book iv, chapter 8, who writes as follows. 'Was not our law providentially given us by God that it might not be annulled or changed in any respect? God forbid that there should ever be a time when anyone would renovate it or change its form for another.' " The closest parallel that I have been able to find in Josephus is *Ant.* iv.8.47 (319), which reads slightly differently. Azariah is therefore paraphrasing.



preeminent virtue of our perfect Law and the appreciation of Moses, the chosen instrument of God, and the happiness that may be expected by every one who keeps the commandments, he writes like a noble person bearing the name of Israelite and like one whose pure words consistently establish principles that cannot be changed."

Azariah then turns to the Pseudo-Philonic *Sepher Ha-'Ittim* or *Chronology*<sup>36</sup> and refers to his translation of it in Part III, chapter 35. The rest of the present chapter is devoted to a discussion of the contents and authenticity of the *Biblical Antiquities*, then commonly ascribed to Philo.<sup>37</sup> Since this is not a genuine Philonic writing, I shall not give Azariah's detailed comments on it except those concerning its authorship. It may be noted in passing, however, that Azariah has cited from the *Biblical Antiquities* a larger number of parallels to rabbinic amplifications of Scripture than has any later scholar known to me.<sup>38</sup> He begins the discussion of this book by warning<sup>39</sup> that it "abounds in errors since it is transcribed from a very old text, in which certain words and lines were missing." That some of the stories may be disreputable he excuses on the ground that certain events of remote antiquity became garbled in oral transmission. "And even if one believes that the Jedidiah who composed them is not the same as the Alexandrian mentioned above, it will nevertheless profit us (to read the book), for it does not

<sup>36</sup> The *Breviarium de Temporibus*, written by Nanni or Joannes Annius da Viterbo, was first printed at Rome in 1498. Various editions of the work, one of them with a title including the name of Berosus Babylonicus also mentioned in this connection by Azariah, are listed in the bibliography of Goodhart-Goodenough, nrs. 1587-1596.

<sup>37</sup> The *Philonis Judaei Antiquitatum Biblicarum Liber*, as it is called in the Fulda catalogue (the original title is unknown), was first printed in 1527 from an 11th century MS. Originally written in Hebrew in the early Talmudic period, it was translated into Greek and from Greek into Latin. Only the Latin version survives. See M. R. James, *The Biblical Antiquities of Philo* (London and New York, 1917).

<sup>38</sup> It should also be noted that Louis Ginzberg in his *Legends of the Jews* (6 vols., Philadelphia, 1909-1938) has made considerable use of the *Biblical Antiquities* in summarizing Jewish legends.

<sup>39</sup> Cassel ed. p. 104, Vienna ed. p. 56b, Warsaw ed. p. 84.

contain things different from those that came to the notice of our Sages from the Gentiles, from which they profited and passed on to us." He also reminds us that some of the statements in the *Biblical Antiquities* are supported not only by Talmudic passages but also by the Church Fathers; for example, the statement that Job lived in the days of the Patriarchs is found in Origen.<sup>40</sup> To other passages of this work he brings parallels from Josephus, Homer, the genuine Philo and Quintus Curtius.<sup>41</sup>

Of particular interest are Azariah's arguments to prove that Philo was in fact the author of the *Biblical Antiquities*. The first is that in this work's account of the giving of the Ten Commandments, the prohibition of adultery precedes that of killing,<sup>42</sup> as in Philo's *De Decalogo*, *De Specialibus Legibus* and *Quis Heres*. This inversion, says Azariah, is unknown to him from any other writer except Paul.<sup>43</sup> The second proof of Philo's authorship, according to Azariah, is that in the story of Moses being hidden by his mother in the ark, the *Biblical Antiquities* follows the Septuagint, as is Philo's wont, in rendering "ark" as *thibin*.<sup>44</sup> This rendering, adds Azariah, excited the surprise of Bishop Eugubinus, because *thibin* is not a Greek word but Hebrew or Aramaic (the distinction is to be discussed by him later). The third proof is the statement attributed to God by the author of the *Biblical Antiquities* that "I was reckoning as in former days when I said, 'And his days shall be a hundred and twenty years,'" for this has a parallel in Philo's treatise *De Gigantibus*.<sup>45</sup>

<sup>40</sup> As indicated by his marriage to Jacob's daughter Dinah. See *Biblical Antiquities* viii.8. The passage in Origen, which Azariah cites from Pico della Mirandola, is in *Enarrationes in Librum Job* f.2r-3v, according to Freudenberger, p. 147.

<sup>41</sup> Cassel ed. p. 106, Vienna ed. p. 58a, Warsaw ed. p. 86.

<sup>42</sup> *Biblical Antiquities* xi.10-11.

<sup>43</sup> Romans xiii.9.

<sup>44</sup> *Biblical Antiquities* ix.12. In Ex. 2.3 the LXX renders Heb. *tebah* "ark" by *θηβων*, elsewhere by *κιβωτός*, as does Philo.

<sup>45</sup> In *Biblical Antiquities* ix.8 God says to Amram (James' trans.), "For in ancient days [cf. Gen. 6.3] I thought of him, saying, 'My spirit shall not be a mediator among these men for ever, for they are flesh, and their days shall be 120 years.'" According to Deut. 34.7 Moses was 120 years old when he died. Philo comments on the connection of the two verses in *De Gigantibus* 55.

Azariah concludes his remarks by referring to his future discussion of the discrepancies between the chronologies of the Hebrew and Greek texts of Scripture in relation to Philo and the two doubtful treatises.<sup>46</sup> "Now, while plainly admitting, as you will soon hear in what follows, that Jedidiah did not differ from the text of the Seventy in thousands of passages throughout the forty-four<sup>47</sup> treatises written by him and mentioned above, nevertheless in two treatises, the *Chronology* and the *Antiquities*, we see him reckoning the years in question [from Adam to the Flood] as 1656,<sup>48</sup> in agreement with the correct reckoning found among us. The difficulty vanishes in principle if we conclude that the chief of Christian scholars has correctly decided in his *City of God* that the larger number is certainly a scribal error and not an error on the part of the Seventy, and that the reading in question is that which is found in our Holy Scriptures."<sup>49</sup>

Chapter 4 ends with Azariah's assurance that "there is nothing crooked or perverse from the point of view of our Law" in the above mentioned writings, and that it is therefore in place to subject Philo to scrutiny from a different point of view.

Chapter 5 begins with the statement<sup>50</sup> that the Alexandrian writer may be charged with four defects in orthodoxy, to an analysis of which the entire chapter is devoted.

"Of these the first is that in all the biblical references that are found in his writings — and they are many — he has cited, not the true text that is found among us, but the translation of the Seventy, which differs considerably from ours." Azariah finds support for his assertion that Philo is to be criticized for preferring the LXX to the Hebrew text in Eugubinus' "Commen-

<sup>46</sup> Cassel ed. p. 108, Vienna ed. pp. 59a, b, Warsaw ed. p. 87.

<sup>47</sup> The editors of the Hebrew text have corrected "forty-four" to "forty-three" but Azariah here probably reckons the *Biblical Antiquities* as a genuine work of Philo.

<sup>48</sup> As against the LXX reckoning of 2245 years.

<sup>49</sup> See Augustine, *De Civitate Dei* xv.13, "So that the disparity in the Greek and Latin from the Hebrew . . . is neither to be ascribed to the Jews' malice nor the diligence [negligence?] of the translators of the Septuagint, but to the transcriber's error that copied it first from Ptolemy's library" (Healey's trans., *Everyman's Library*).

<sup>50</sup> Cassel ed. p. 108, Vienna ed. p. 59b, Warsaw ed. p. 88.

tary on the Law,"<sup>51</sup> for the Christian scholar finds fault with Philo's rendering of Gen. 2.6 as "There went up a spring" instead of "There went up a mist."<sup>52</sup> On the basis of this and other passages Eugubinus expresses the opinion that Philo misunderstood the meaning of Scripture.

This leads Azariah into a digression on the history of the Aramaic translation of the Bible, the Targum, which he suggests may have been in existence before the time of Ezra or may have been composed in the time of Ezra, as the older rabbinic authorities believed. That the Aramaic translation contained errors Azariah is the more willing to admit since he believes that it was the basis of the Greek translation of the Pentateuch made for Ptolemy Philadelphus by the Palestinian elders.

Returning to the subject of Philo's biblical text, he remarks somewhat regretfully,<sup>53</sup> "Now this Jedidiah, who grew up in Greek lands, and had all their wisdom and a wide knowledge of their literature, did not see or know the Law in its original text, and did not use the sacred language, for even the Aramaic version, which was widely known in the land of Israel, was inaccessible to him. The whole of the Law, which he studied and commented on in his various treatises, was based only on what he had read in the translation of the Seventy. And since it was accepted as a fact by him that they had translated it from the Aramaic text which they had brought to the king, he believed that even the Law given to Moses on Mount Sinai was in Aramaic." Apparently Azariah did not realize that Philo used the ethnic adjective "Chaldaean" to mean Hebrew as well as Aramaic.<sup>54</sup> This error, says Azariah, was corrected by "the Christian translator" (Jerome) in his commentary on the first chapter of

<sup>51</sup> *De Cosmopoeia* p. 21; see Freudenberger, p. 185.

<sup>52</sup> In *De Fuga* 178.

<sup>53</sup> Cassel ed. p. 109, Vienna ed. p. 60a, Warsaw ed. p. 89.

<sup>54</sup> See *De Vita Mosis* ii.26-27 on the translation of the Pentateuch into Greek, a passage referred to by Azariah. Perhaps Azariah may be forgiven for taking "Chaldaean" to mean only Aramaic, since, as Azariah himself reminds us, Philo explains "Enosh" as a Chaldaean name. But since Azariah also cites Philo's etymology of "Israel" as a Chaldaean name, he ought to have entertained the notion that "Chaldaean" includes Hebrew.

Daniel, for he there says that the Law was given in the sacred language (*i. e.* Hebrew). Assuming that Philo was the author of the *Chronology*, Azariah finds another passage therein which shows that he believed the LXX to have been based on the Aramaic version, "even if we suppose that Jedidiah knew that the Law had been given to Moses in the sacred language."

He proceeds to show Philo's dependence on the LXX by citing a good many passages in which Philo agrees with the Greek against the Hebrew.<sup>55</sup> (Occasionally and somewhat irrelevantly he calls attention to the fact that Philo anticipates later Jewish exegesis, *e. g.* in his interpretation of 'Ehyeh in Ex. 3.14 as "the existent one" in the manner of Maimonides in the *Moreh Nebukim*, Pt. I, ch. 63). As for Philo's etymologies of Hebrew names, Azariah says, "I have no doubt that these came, not from his own knowledge of their meaning, but from what he learned perforce from others." It may be noted here in passing that several contemporary Philonists agree with Azariah in holding Philo to have been ignorant of Hebrew though this is, in my opinion, by no means certain.

The discussion of this first "defect" in Philo ends with a bit of moralizing. "It is clear as the noonday sun that the sacred language was a closed book to him. And when I consider this fact, which is surprising in a man like him, I bear in mind that he was nurtured by many sages and philosophers of the Gentiles who lived in his Greek city of Alexandria in Egypt. And since, while tending their vineyards, he did not tender his own precious vineyard so as to be able joyfully to draw the holy waters from the springs of salvation, such things befell him (as we have mentioned). And if we take to heart the verses at the end of Nehemiah about the children who were not familiar with the Judaeian language but only with foreign tongues, we can understand why there were many like him."

The second "defect" in Philo, which Azariah discusses at some length,<sup>56</sup> is that in his treatise *On the Construction of the*

<sup>55</sup> Whether Azariah knew that Philo sometimes (though rarely) agrees with the Hebrew against the LXX is not clear. At any rate, he does not mention the possibility.

<sup>56</sup> Cassel ed. pp. 112-114, Vienna ed. pp. 61b-62b, Warsaw ed. pp. 92-93.

*World* (*De Opificio* 21) "he wrote things that may lead the reader to suppose that he believed in the pre-existence of matter." This, of course, though Azariah does not explicitly say so here, would be in opposition to orthodox Jewish belief, since Scripture was interpreted by the rabbis to prove the creation of the world *ex nihilo*. Another statement to the same effect, found in a work of Philo not included in the editions known to him, is cited by Azariah from Marsilio Ficino's translation of Plato's *Timaeus*.<sup>57</sup> Also in Philo's *De Eternitate Mundi*, says Azariah, one finds such strange doctrines as that "from non-existence comes non-existence" and the erroneous notion that "a created thing (*ha-nolad*) does not become non-existent but the arrangement of its composition changes, and thereby its original form changes to something else." Apparently feeling somewhat uncertain that Philo really did believe in the pre-existence of matter, Azariah adds, "What inclines one to believe that this is his opinion is the well-known fact that he followed in the footsteps of Plato. And according to the majority of scholars, the opinion that matter pre-existed is to be attributed to him (Plato), as well as to many other Greek philosophers, as is stated by Maimonides in the *Moreh*, Pt. II, ch. 13."<sup>58</sup>

The notion that Plato believed in the pre-existence of matter and that therefore Philo, his imitator, also did so and thus came into conflict with orthodoxy seems to have bothered Azariah. At any rate he makes some display of erudition (some of it perhaps borrowed from Renaissance Platonists) designed to show that in reality Plato, like Moses may have believed in creation *ex nihilo*, as was asserted by Justin (*Apology* i.59) but was obliged to conceal his opinion in order to avoid suffering the fate of Socrates. That Plato actually believed in the creation of primal matter was also proved to Azariah's satisfaction by

<sup>57</sup> See Appendix III.

<sup>58</sup> Maimonides includes Plato among those philosophers who believe in the pre-existence of matter. In fact Philo modified Plato's theory of creation to agree with his own view that God first created matter and then created the world out of this matter. On this theory see H. A. Wolfson, *Philo* (Cambridge, Mass., 1947) i.305-316.



Judah Abravanel (Leone Ebreo) in the second book of his *Dialoghi d'Amore*.

The problem of creation leads further into a brief digression in which Azariah defends Nachmanides against Eugubinus' charge of having falsely interpreted the expression *tohu wabohu* ("chaos") in Gen. 1.2.<sup>59</sup> Azariah explains that Nachmanides "was not thinking of matter that existed before the first idea (of creation), as was thought by the (Greek) philosophers, but of matter that was created by the Creator at a particular time, namely before He performed His separate acts of creation."

After further citing Jerome in support of his theory that "the righteous Plato" did not really believe in the pre-existence of matter, Azariah concludes his examination of this aspect of Philo's teaching with the judgment that he deserves to be rebuked for not having clearly taught, as did the Jewish exegetes, that "the whole creation was a divine innovation (*i. e.* a creation *ex nihilo*) without any pre-existence of matter."

The third "defect" of Philo's work, according to Azariah, is his tendency to ignore the literal, historical meaning of Scripture in favor of the allegorical meaning.<sup>60</sup> "Many stories are told in the Torah which certainly happened in actual fact and in the light of day. Although there are allegorists who extract from their esoteric knowledge symbols and allegories with some abstract meaning, nevertheless they expressly and clearly say that all these things happened as they are described and really took place and are not merely parables and symbols. But I have many times found our Jedidiah stealthily turning the word of God from its true meaning and making the whole substance of the story signify merely some bit of wisdom and abstract subject."

Among the Philonic passages cited by Azariah to illustrate this tendency are the following. In *De Opificio Mundi* (13 ff.)

<sup>59</sup> See Eugubinus, *Recognitio* f.9v, *Cosmopoeia* 30-32. Freudenberger, p. 184, remarks that Eugubinus objects to the Jewish interpretation of *tohu wabohu* as *privatio materiae* on the ground that this is not Mosaic but Peripatetic. He supposes that Eugubinus is here referring to Giovanni Pico as a Christian Judaizer.

<sup>60</sup> Cassel ed. pp. 114-116, Vienna ed. pp. 63a-64a, Warsaw ed. pp. 93-95.

and *Legum Allegoriae* (i.2 ff.) Philo states that the literal belief in six days of creation is a popular and ignorant one, since the account in Genesis merely indicates the order of creation or demonstrates the mystical properties of the number six. For rabbinic parallels to Philo's number-mysticism Azariah refers to Abraham ben Ezra and Samuel Biba. He also notes that this device is used in Macrobius' commentary on Cicero's *Somnium Scipionis* and in Ficino's commentary on Book X of Plato's *Republic*. Against Philo's statement in *De Plantatione* (32 ff.) that the Garden of Eden was an allegorical concept rather than an actual place Azariah sets a passage from Nachmanides' commentary on *Heleq* (Chap. X of the Talmudic tractate *Sanhedrin*) in which the Garden of Eden is described in naturalistic terms. Another rabbinic authority cited in this connection is "the learned author of the *Aqedah* (i. e. the Kabbalist Isaac Arama), who wrote a refutation of the theory that the literal meaning of the Torah is to be disregarded or wholly converted into allegory. Similar opinions, Azariah reminds us, are to be found in the works of Abraham ben Ezra and the Kabbalist Recanati. On the other hand, as he is careful to point out, Isaac Arama makes it clear that there are esoteric and allegorical meanings in Scripture in addition to the literal meaning.

"In view of all this there are two things in this connection that we should always keep before our eyes. One is that we should never think of not believing that things actually were as they are described (in Scripture) . . . and the other is that the symbolical interpretation which we give should be one that has been received as a tradition in some way from a scholar of higher rank than a prophet."<sup>61</sup> By this he presumably means someone like Rabbi Simeon ben Yohai, the supposed author of the *Zohar*, to whom he refers in the next few lines.

The summary of this argument is disconcertingly put in the form of a question, "And if these two evils are found in Jedidiah, is he not convicted of having committed a mortal sin?" As we shall see in the sequel, Azariah does not too clearly or vigorously condemn Philo in this respect but seems to be willing to leave

<sup>61</sup> *mequbbalim be'ophan-mah mippi hakam 'adiph minnabi.*

it to his readers to decide to what extent Philo has violated the conventions of orthodox interpretation of Scripture.

The fourth and last error attributed to Philo<sup>62</sup> "is grave enough to plunge him like lead into bottomless waters, and it is that from one end of his writings to the other you will not find a single word to show that he has accepted the Masorah (*i. e.* the traditional reading) of the written Torah."

The reader must be cautioned to make allowance here for the same kind of rhetorical exaggeration that we find in rabbinic homilies and commentaries. Azariah was, we may be sure, far from willing to see Philo plunged "like lead into bottomless waters," but he was bound by his respect for orthodox opinion to express disapproval of any Jewish writer who had disagreed with the Talmudic authorities in his interpretation of Scripture, especially in matters of Halakah or civil and ceremonial law.

In the discussion of the unorthodox passages in Philo Azariah appears as the first scholar who, so far as we know, has dealt with Philo's views on Halakah. He uses the *De Specialibus Legibus* as the source of most of the examples cited.

The first passage (*De Spec. Leg.* iii.181-182) is one in which Philo gives a literal interpretation of the verses in Ex. 21.23-25 on "an eye for an eye etc." in contrast to that of the rabbis (*cf.* Bab. Talmud, *Baba Qamma* 83b) which was that only a money payment might be exacted of one who had inflicted bodily injury upon another. It is interesting to note in passing that Azariah connects Philo's interpretation of Halakah with that of the Boethusians, *i. e.* Essenes (see above), while modern students of Philonic exegesis assume that his occasional agreement with the Sadducees is to be explained by the theory that both he and they retained the older Palestinian rulings while the liberal Pharisees departed from them.

Other literal interpretations of Philo which Azariah contrasts with those of the Pharisees are those found in *De Spec. Leg.* iii.106 on Ex. 20.19, iii.86-87 on Ex. 21.13, iii.108-109 on Ex. 21.22, and i.53 on Ex. 22.28. In the last passage Philo in commenting on the biblical prohibition of cursing the *Elohim* follows the LXX

<sup>62</sup> Cassel ed. pp. 117-119, Vienna ed. pp. 64b-65b, Warsaw ed. pp. 95-97.

in taking this word to mean the gods of the Gentiles rather than "judges," as does the *Mekilta ad loc.* Azariah also notes that an interpretation similar to Philo's is given by Josephus in *Antiquities* and *Against Apion* (*Ant.* iv.207; *Ap.* ii.237), and he quotes with approval Josephus' warning to his coreligionists not to show disrespect to Gentile gods, since it is "an ethical principle" endorsed by Maimonides (*Moreh Nebukim*, Pt. I, chap. IV).<sup>63</sup>

Azariah's discussion of the halakic interpretations of Philo, which includes about a dozen illustrative passages, is concluded with the observation that they are "vain imaginings not in accord with the Masorah." When the Alexandrian interpreter occasionally refers to the "traditions of the ancients" he was, says his critic, "thinking only of some of those pseudo-scholars who make up their own opinions in opposition to the commandments of our God."

At the end of the chapter Azariah repeats his suggestion that Philo's unorthodoxy may be explained by his adherence to the Boethusians. "We cannot say, indeed, that he belonged to the sect of the Sadducees since, as has been shown above, they denied the resurrection and rewards and punishments (after death) and the existence of incorporeal spirits, while he, on the contrary, professes belief in all these doctrines and loudly proclaims his belief, citing many miracles from sacred Scripture. Accordingly, in my opinion, in rebuking him for his false imaginings one would be justified in saying that he belonged to one of the other sectarian groups, that of the Boethusians, as we have mentioned. However, whether or not there is an advocate to speak in his favor in some way and to vindicate him we shall learn in the following chapter."

Chapter 6, the last of those in the *Meor Eynayim* which deal with Philo in detail, is entitled, "A possible vindication of Jedidiah of all the charges brought against him, and a final estimate of him." In systematic fashion Azariah proceeds to show that a good deal may be said in extenuation of each of the

<sup>63</sup> Here Maimonides interprets the biblical phrase (Ex. 23.8) "they looked after Moses" to mean that the Israelites criticized Moses. Azariah assumes that Maimonides refers to Moses' incautiousness in speaking (Ex. 8.22) about the "abomination of the Egyptians."

four "defects" with which Philo was charged in the preceding chapter. While he cannot, of course, ignore Philo's deviation from what he considers normative belief, namely that of the Talmudic authorities and the Kabbalists, Azariah manages to find some justification or at least tolerant explanation of Philo's motives, in some instances by citing parallels from rabbinic literature.

In discussing Philo's first "defect,"<sup>64</sup> which consisted in following the text of the LXX against the Hebrew, Azariah sympathetically explains that his works were composed "for the approval, not of his coreligionists, the Jews, but of the Greeks and Romans, and it was for their instruction that he wrote, to show them the many virtues of our divine Torah." As an example of this kind of accommodation Azariah selects Philo's comments in the *De Migratione Abrahami* (200-201) on the verses in Ex. 1.50 and Deut. 10.22 on the seventy or seventy-five (LXX in Ex. and Acts 7.14 have "seventy-five") persons who went down to Egypt with Jacob. Unfortunately Azariah's point is far from clear but he seems to mean that the divergence in numbers is due to Philo's allegorical explanation, which was meant to avoid confusion on the part of his readers. At any rate, he attempts to strengthen his apologetic arguments by showing from passages in rabbinic literature that some of the suspect numbers found in the prophetic books "were written in accord with popular conjecture, as if the prophets thought that it was permissible to alter the truth to avoid controversy."

Another explanation for Philo's occasional literalism in contrast to the free construction of Palestinian exegesis is that Philo did not have access to Midrashic or Masoretic sources for "these were in heaven, to which he could not ascend." He therefore decided to follow the LXX text, "thinking it both wise and pleasing to God not to appear as a deceiver in the eyes of the Gentiles." Moreover, says Azariah, even such unimpeachable authorities as Maimonides and Saadia sometimes translated or explained halakic passages literally in order to avoid suspicion of tampering with the biblical text or to simplify matters for the unlearned.

<sup>64</sup> Cassel ed. pp. 120-122. Vienna ed. pp. 65b-67a. Warsaw ed. pp. 98-100.

As a magnanimous gesture toward the Alexandrian scholar whom he has so strictly held to account for his deviations from orthodox interpretation, Azariah quotes a saying of the Rabbis (Bab. Talmud, *Menahoth* 99b) that "there are times when the annulling of the Tōrah is the establishing of the Torah," a moral derived from the story of Moses' breaking the first tablets of the Law.

Before taking up the second point in the defense of Philo, Azariah devotes two pages to the special problem of the pronunciation and meaning of the tetragrammaton YHWH as treated by Philo and other biblical exegetes. He approves of Philo's statements that the name YHWH denotes God's existence and essence. Furthermore, the substitution of the reading *Adonay* "Lord" for YHWH was not an innovation of the period of the (Roman) Diaspora, according to Azariah,<sup>65</sup> but was already found among the ancients; this is shown by the LXX rendering *Kyrios* and the renderings *Maran* and *Dominus* in Christian Aramaic and Latin. That the tetragrammaton was not pronounced was recognized by Jerome; this was not alone because of religious scruples, as Pagninus assumed, but also because the vowels of the name were unknown. Finally, there is nothing surprising in the fact that in the time of Moses God was known by His "name of essence," since, as Eugubinus pointed out,<sup>66</sup> the god Hermes was similarly designated in most ancient times. Thus, concludes Azariah, in following the LXX Philo "held fast to the truth of this name (YHWH)."

In defending Philo against the charge of unorthodoxy in seeming to teach that the world was created out of pre-existent matter rather than *ex nihilo*, Azariah argues<sup>67</sup> that he was only following the Greek philosophers, especially Plato, in supposing that the biblical *tohu* or chaos from which the world was created was the same as primal matter, and that this theory can be reconciled with the orthodox doctrine of creation *ex nihilo*. This

<sup>65</sup> By *galuthenu* Azariah probably means the period after 70 A. D. rather than that of the Babylonian exile.

<sup>66</sup> Eugubinus, *Recognitio* on Ex. 3.14.

<sup>67</sup> Cassel ed. pp. 122-123, Vienna ed. pp. 67a-67b, Warsaw ed. pp. 100-101.



kind of harmonization is found in both Jewish and Christian exegetes, for example, in the first chapter of Judah ha-Levi's *Kuzari* and in Part II, chap. 25 of Maimonides' *Moreh Nebukim*. The latter is quoted<sup>68</sup> as saying, "If one believes in the pre-existence of matter in accordance with the second theory which we have explained, namely the theory of Plato, which is that the heavens came into being and will perish, this theory will not contradict the foundations of the Torah and will not involve the denial of miracles. It is possible to interpret Scripture in this way and to find many parallels to this theory in the Scriptures and elsewhere as proof-texts." In saying this, suggests Azariah, Maimonides was thinking of the discussion between Rabbi Judah bar Shimeon and Rabbi Abahu<sup>69</sup> on the problem of the existence of time before the creation of the world, a discussion to which he refers in Part II, chap. 30 of the *Moreh*.

Similarly, Ficino in his commentary on Plato's *Timaeus*<sup>70</sup> interpreted Plato to mean not that matter pre-existed but that there was a precedence of principle and order. "He also says that when our teacher Moses spoke of the earth as being chaos, he did not refer to pre-existent time, since matter also was created from nothing together with other created things, but meant that there was a precedence in priority and order. And to confirm these statements of his about Plato, he also cites the words of Jedidiah from his two treatises on the creation of the world,<sup>71</sup> which we mentioned in the preceding chapter, and says that although he was a law-observing Jew, his words are similar to those of Plato, and both of them are to be favorably judged, as I have said."

Moreover, adds Azariah, these views of Philo are not really his own but those of the Greek philosophers cited by him. This is clear from the fact that when Eusebius in the seventh book of his *Evangelical Preparation* (336 ff.) cites passages from Dionysios and Origen to refute the theory of pre-existent matter

<sup>68</sup> Azariah's quotation from Maimonides differs only slightly from the printed editions of Ibn Tibbon's Hebrew version.

<sup>69</sup> *Bereshith Rabba* chap. 3 on Gen. 1.5.

<sup>70</sup> Quoted in Appendix III.

<sup>71</sup> *De Opificio Mundi* and *De Eternitate Mundi*.

and to support the biblical theory of creation *ex nihilo*, he includes a passage from the lost portion of Philo's *De Providentia* (reproduced by Azariah in slightly abbreviated form) which assumes the creation of matter.

Azariah next attempts to meet the charge that Philo's interpretation of Scripture is excessively allegorical.<sup>72</sup> "Perhaps he is to be defended on the ground that after all, although he considered these hidden things to be the principal part (of Scripture), he admits that also the sense revealed to us and our children (*i. e.* the literal sense) is to be believed, just as the Sages said in *Mekilta*, section *Mekāššephah*, 'The Torah was given with its letters,' which means that it is to be understood on the basis of the written text, as was his opinion, cited above, concerning the commandments of Sabbath, circumcision and the like. And though there are allegories and parables (in Scripture) he opposes the violation of the commandments, and warns against refusing to carry them out in practice."

That Philo was at fault in allegorizing the story of the Garden of Eden Azariah admits, but points out that "there have not been wanting also Jews and Christians who because of various difficulties appearing to them in the literal text of Scripture 'have stumbled in judgment' (*cf.* Isa. 28.7)." Augustine and Aquinas are cited to show how difficult it sometimes is to decide between the literal and figurative meanings of biblical passages, although both Christian scholars held that no happening related in Scripture is to be rejected in any way as a literal fact in spite of its allegorical meaning. Apparently as an after-thought to his appeal to Christian scholars, whom he may have found quoted in this connection in the writings of Eugubinus, Azariah includes a passage of like import from Eliezer Ashkenazi.

The same general argument is applied to Philo's theories about the time of the separate acts of creation, namely that they are in substantial agreement with the views of Talmudic authorities, Maimonides, Nachmanides and Augustine.

<sup>72</sup> Cassel ed. pp. 123-124, Vienna ed. pp. 67b-68a, Warsaw ed. pp. 101-102.

Most of the rest of this chapter of vindication<sup>73</sup> is devoted to the question of Philo's sectarianism. "In view of the assumption which I made in Chapter 3 that the Boethusians and the Essenes were one heresy and sect in substance, the time has come to show that our Jedidiah was like one of them. If he was not actually one of the designated four thousand (Essenes) and did not wander far from the cities like them, he was, at any rate, one of 'the stragglers behind' (cf. Deut. 25.8) and adopted some of their views and doctrines. All the more so as we see that he recites their praises in two of his treatises, the 36th and 37th,<sup>74</sup> as we have mentioned."<sup>75</sup>

Those modern scholars who are inclined to attribute the authorship of some of the Apocryphal Apocalypses to the Essenes chiefly on the basis of their angelology will be particularly interested to note that it is largely for the same reason that Azariah believes Philo to have been an Essene. To document this belief he quotes at length from four of Philo's treatises.<sup>76</sup> From these passages he gathers that Philo believed "that souls and angels are of one created substance, which is commonly called 'soul,' with some distinctions of rank, as we have learned from him, and that the dwelling-place and abode of them all is in the air,<sup>77</sup> in different levels,<sup>78</sup> and that the souls that incline to cleave to bodies fly like clouds to their former aerial stations when the bond between them is severed."

This doctrine, Azariah points out, is not in agreement with rabbinic teaching, which distinguishes between souls and angels in respect of their names and species, and locates the angels in the highest heavens beside the Throne of Glory and not in the firmament<sup>79</sup> or lowest heaven. Moreover, Philo's notion that

<sup>73</sup> Cassel ed. pp. 125-128, Vienna ed. pp. 68a-70b, Warsaw ed. pp. 102-106.

<sup>74</sup> *Quod Omnis Probus* and *De Vita Contemplativa*.

<sup>75</sup> In Chap. 3.

<sup>76</sup> The passages in question, as they are rendered into Latin by Gelenius (Paganus ed.) and from Latin into Hebrew by Azariah (here translated into English) are given in Appendix II.

<sup>77</sup> *ba'awer*.

<sup>78</sup> *madregoth 'al madregoth*.

<sup>79</sup> *raqi'a*.

the angels minister to the souls in heaven is also incorrect from the rabbinic point of view. The Sages further held that the spirits that dwell in the air are evil and destructive spirits,<sup>80</sup> as we read in the Babylonian Talmud (*Berakoth* 3a, *Pesahim* 110a, *Hullin* 105b). Nevertheless, Azariah admits, some support can be found for Philo's belief that the angels dwelt in the lowest heaven, for example, in Abraham ben Ezra's commentary on Ps. 104.5, "He maketh the angels His spirits," and in *Midrash Tehillim* on the same verse, where Rabbi Yohanan cites several biblical passages to show that the whole region from the lower world upward is called "heaven."<sup>81</sup>

Without commenting on the orthodoxy or unorthodoxy of the theory Azariah refers to Philo's statement in *De Plantatione* (14 ff.) and elsewhere that certain chosen souls like Moses, when separated from their bodies, go up to the highest heavens to the secret place of the Most High, "who dwells there from everlasting."

On the basis of his angelology and some other doctrines Azariah feels justified in concluding that Philo was neither a Pharisee nor a Sadducee but a Boethusian or Essene. That Philo's teaching about the angels closely resemble those of the Essenes he assumes on the basis of Josephus' description of this sect, which he has quoted in chapter 3 of *Imrey Binah*.

The final summing up of Philo's place in Jewish tradition is made by Azariah with the same degree of objectivity or possibly caution that he has shown throughout the three chapters devoted to the analysis of the Alexandrian scholar's teaching. The passage<sup>82</sup> is worth quoting in extenso. "In spite of all this I have considered his case carefully and have come to the conclusion, as I have written in this chapter, that it is also possible to judge him favorably in some respects and to exempt him from all charges of sinfulness, the more so that I know that there are found in our generation discerning and sincerely upright men who drink his words thirstily and crown him with a wreath of

<sup>80</sup> *šedim umazziqin*.

<sup>81</sup> *šamayim*.

<sup>82</sup> Cassel ed. p. 129, Vienna ed. pp. 70-71, Warsaw ed. pp. 106-107.

gold like those who walk in the right path among our people. And the Jewish Josephus,<sup>83</sup> Book VI, chap. 63, and the Roman Josephus,<sup>84</sup> Book VIII, chap. 10, mentioned him favorably and praised his wisdom and his virtue; and it is known that the great assembly in Alexandria called upon him and sent him as their spokesman to save them from the evil plan of the Emperor Gaius who had issued a decree to set up his statue in the holy temple . . . And so, in accordance with all that has been said in this chapter, I say to Israelites concerning this Jedidiah or Philo, to use his Greek name, that with all the attention and merciful consideration that are coming to him, I will not pass judgment upon him or acquit him or condemn him absolutely. He will not be called by me "master" or "Sage," neither will he be called a heretic or unbeliever. One should call him only "Jedidiah the Alexandrian." And in every place where he is mentioned in these chapters of mine he will be treated like one of the Gentile scholars, to whose words we listen only when they deal with secular matters and those that do not concern principles (of religion).<sup>85</sup> But in all the rest of his words and books the reader may everywhere judge as seems best to him. When found at fault he is to be rejected, and when there is truth in his words as in those of an (orthodox) teacher, the reader shall accept him. My hand will not be against him nor will it uphold him."

<sup>83</sup> *I. e.* the Hebrew *Yosippon*.

<sup>84</sup> Flavius Josephus, *Antiquities*.

<sup>85</sup> 'ašer legalloyey miltha be'alma ubemai dela šayyekey begaweh.

## APPENDIX I

Some References to Philo in the Works of  
Eugubinus (Augustinus Steuchus)*De Perenni Philosophia*

I.7. (p. 19) . . . quemadmodum tot locis fatetur Philon Iudaeus, asserens ipsum Verbum esse archetypum exemplarque animi nostri: nos simulachrum eius sicut ipse sit imago patris sui. Haud aliter oraculum, appellans symbolum quod Philon simulachrum, imaginem, et quod Moses imaginem et similitudinem, Hebraice *Zalmenu*, *Demutenu*. Eadem sensit et exposuit Psellus Philosophus Christianus declarans supradictum locum . . .

*Ibid.* (p. 20) Similia cernentur apud Philonem de Verbo divino atque de Mente apud Chaldaeum de quo dicit, *ἀόρατος καὶ σπερματικὸς τεχνικὸς θεὸς λόγος*: invisible, seminale, artifex divinum Verbum. Sunt ergo semina rerum apud Philonem in Verbo divino, sicut apud Chaldaeum de Mente qua seminauerit sua symbola in animis. Idem Philon explicabit hanc Chaldaicam theologiam: *πᾶς ἄνθρωπος κατὰ μὲν τὴν διάνοιαν ὠκείωται θεῷ λόγῳ τῆς μακαρίας φύσεως ἐκμαγείον ἢ ἀπόσπασμα ἢ ἀπαύγασμα γεγονός*: Omnis homo secundum rationem habet cum Verbo divino societatem, factus naturae beatae simulachrum aut abscissio aut radius. Quibus verbis Philon explicat illa symbola: quod tribus nominibus Philon declaravit, Imago vel simulachrum, Abscissio aut Eradiatio, Moses diceret Afflatus. Ac numerus multus apud Chaldaeum, et pro singulari symbolum. Eruntque omnia eadem et illa tria apud Philonem, et symbolum apud Chaldaeum, et apud Solomonem proprietas, apud Mosem imago, similitudo, apud Marcum Tullium delibatio, haustus . . .

*Ibid.* (p. 22) Omnes item ante Platonem theologi, post ipse Plato et Aristoteles cum tota familia creationem ordinemque rerum Menti dabant. Chaldaeus autem propius accedens, creatum hominem a Mente confisus est, ut ante monstratum est. Philo item hanc Mentem declaravit animi nostri creatricem. Similia igitur audies apud Mercurium . . .



l.26. (p. 71) . . . ex Hebraeis theologis Philon, quem Platoni coaequat Graecum proverbium, qui et Aegyptiam et Graecam, praecipue Platoniam cum Mosaica temperavit philosophiam, mira, et velut oraculum, de Verbo divino canit, et eadem prorsus atque Trismegistus nosterque Ioannes. Saepe quidem sum arbitratus ex eadem Hebraeorum secretiore theologia tot tamque clara Philonem de Verbo divino locutum atque Ioannem eundem etiam Hebraeum: ut praeterquam quod potavit Ioannes de Christi pectore theologiam, scripserit etiam quae penes arcanarum rerum scriptores Hebraeos prius haberentur . . .

*Ibid.* (p. 72) . . . ut doceret Verbum rerum fuisse creatorem . . . eiusdem generis multa per omnes libros suos eloquitur Philon, non Christianus sed Iudaeus, in libro de Allegoria Legum . . . Theologia quoque nostra dicit, Patrem omnipotentem, creatorem caeli et terrae, de filio per quem omnia facta sunt, tale quod Philon appellans filium secundum . . . Hoc item testimonio explicat theologiam, quae est apud Ioannem de Verbo divino, Philon: quae appellatio ob creationem mundi, non nativitatem spiritualem, ut nonnullis postea visum, ab antiquis Philosophis est indita. Idemque dicit de hoc Verbo quod Ioannes, Omnia per ipsum facta sunt: Philon, eum replevisse Deum incorporeis virtutibus, id est, ideis aeternis, prolificis virtutibus, rationibus sempiternis . . .

*Ibid.* (pp. 73-77) Hoc quoque loco Philon et Verbum divinum et Deum qui fit ante Verbum commemorat, appellans Deum ipsum patrem, sicut Ioannes, Verbum erat apud Deum. Deinde dicit, Verbum divinum esse principium et finem voluptatis, felicitatis, finem contemplandi, amorem et desiderium, gaudiumque ut canent nostrae literae . . . Quid admirabilius dicere Philon poterat de Verbo Dei? appellari eum solem, qui de se dicebat, Ego sum lux mundi. Triaque sunt haec divina nomina filii Dei apud Philonem, Verbum divinum, summus sacerdos, primogenitus . . . Hic quoque Philon ostendit filium Dei, Verbum, esse rectorem, gubernatorem, moderatoremque universi, sicut superius datam curam gregis a Patre filio dixit . . . audivitque ex altissima sapientia Philon, filium creasse mundum tamquam organum Dei; creasse hominem tamquam exemplar.

iv.19. Post haec omnia sequitur, quoniam Philon Iudaeus

omnesque quos antea vocavimus testes Verbum Dei dixere concorditer, id est, creatricem illam Mentem, cuncta continere, necessario et istum tacite Aristotelem innuere. Audi igitur Philonem similia in libro de Mundo atque hic Aristoteles de Providentia et rerum continentia requirentem, quid dixerit tandem continere hunc mundum . . .

### *Recognitio Veteris Testamenti*

On Gen. c.1 (p. 5) Philon autem Moysen authorem fuisse tradit qui primum suorum librorum Genesim vocarit. Ita enim in libro de Mundo refert . . . hoc est, gentis Iudaicae legislator Moses, genitum et incorruptibilem asseruit mundum in sacris libris.

On Gen. c.2 (p. 21) Philon autem Iudaeus videtur suas literas ignorasse, quod cum ex multis locis licet cognoscere, tum ex hoc praesertim. Exponit enim de fontibus qui e terrae visceribus surgunt, non de vaporibus. Videtur certe codices Hebraeos non legisse. Ut enim fuit Graece doctissimus, ita fortasse ignoravit Hebraice. Is mirifice approbat aeditionem Septuaginta, cum tamen in ea tot errata deprendantur.

## APPENDIX II

Azariah's Renderings of the Latin Translation of  
Philo by Gelenius<sup>86</sup>

## DE SACRIFICIIS ABELIS 5

*Paganus ed. p. 115**Cassel ed. p. 99*

Nam et Abraham relictis mortalibus apponitur ad Dei populum fruens immortalitate et factus similis angelis, nam angeli exercitus Dei sunt, incorporeae felicesque animae.

When Abraham departed this mortal life, he was gathered to God and enjoyed eternal life in the manner of the angels, who are the hosts of God and souls without body, whose portion is eternal bliss.

## DE SOMNIIS I.139

*Paganus ed. p. 501**Cassel ed. p. 99*

Et ex his aliae tactae vitae desiderio rursum ad eam recurrunt.

There are some souls which, since they take pleasure in composition with the body, will return to it once again.

## DE MIGRATIONE ABRAHAM I 89 FF.

*Paganus ed. p. 348**Cassel ed. pp. 102-103*

Sunt enim quidam qui dum putant scriptas leges esse figuras intelligibilium, his diligenter dant operam, illas facile negligunt, quorum mihi non placet facilitas. Debuerant enim utrasque curare, ut et obscura quaererent accurate, et manifesta servarent diligenter. Nunc quasi degerent vitam in solitudine, aut castellum aut domum aut sodalitatem hominum scirent, placita multitudinis convellendo, veritatem

There are some men who in the conviction that the written laws are symbols of abstract things devote themselves to the understanding of these symbols, and are not careful about the observance of the laws in actual practice. But this casualness of theirs is not right in our eyes, for it is necessary to attend to both aspects at the same time. One should consider the truth of hidden things and yet observe the things revealed, as we have been commanded. For it is not man's nature to exist alone apart from the community.

<sup>86</sup> Only the more literal renderings of some length are here included.

*Paganus ed. p. 348*

ita ut est nudam scrutantur: quos sacra scriptura docet bonam persuasionem non negligere et a divinis maiorum institutis nequaquam recedere. Quamvis enim septimus dies potentiam illius ingeniti, creaturarum autem otium significet, non tamen leges de eo praescriptae solvendae sunt, ut ignem accendamus, agros colamus, baiulemus onera, lites exerceamus et iudicia, depositum repetamus, usuras exigamus, et alia faciamus quae festis diebus non licet agere nec ideo quia festum hilaritatem animae et erga Deum gratitudinem significat, ideo reiciendae sunt solennes celebritates: nec quia circumcisio docet voluptatum affectuumque omnium excisionem et insuper opinionum impiarum quae menti persuadent quod possit ex seipsa gignere, ideo debet antiquari lex lata de circumcissione: alioquin et sacrae ceremoniae et alia multa negligenda sunt si exclusis figuris sola harum significata recipientur. Praestat haec tamquam animam, illa tamquam corpus censer. Itaque sicut corpus curamus ut animae domicilium, sic scriptae leges curandae sunt. Nam his servatis apertius noscentur earum significata, et eadem opera licebit multorum incusationes ac reprehensiones effugere.

*Cassel ed. pp. 102-103*

Since he is not a pure disembodied intellect, it is not right for him to turn aside from the practical life and devote himself solely to abstract principles. Moreover, the Law has instructed us not to be careless of that which is required of us and not to turn away from the divine teachings which our fathers have taught us. For though we abstractly understand that the Sabbath is a reminder of the power of the Creator and of the resting of created beings, we should not transgress His commandments concerning the lighting of fires, tilling the soil, carrying burdens, travelling on business, going to court, demanding deposit and interest, and similar things which are forbidden on the Sabbath. Nor, because a festival day leads us to enjoyment of mind and to giving thanks to God, should we abandon the custom of assembling in congregations for divine service. Nor, because the commandment of circumcision moves us to the renunciation of all luxuries and to ending extravagance of thought which gives birth to confusion in our souls, should we abandon the custom of circumcising the flesh of our foreskin. For in this way all the commandments would be nullified one by one, so soon as we are satisfied to accept only the general intent in preference to the form and symbol. We should rather hold that the study of the secret meaning is like the soul, and that the actual performance is like the body. And just as we take care of the body in order that it may be the temple of the soul, so ought we to observe the revealed meaning as well as the hidden meaning of all the commandments of our Law. For by their performance their symbolical meanings will be better understood, and in practicing them publicly we shall escape suspicion and blame.

## DE GIGANTIBUS 6-18

*Paganus ed. pp. 248-250*

Quos alii philosophi genios, Moses solet vocare angelos. Hi sunt animae volitantes per aerem. Nec est cur quisquam hoc fabulosum existimet. Necesse est enim ut totus mundus in omnibus suis partibus animata habeat, quando primariae partes eius elementares sibi apta continent animalia, terra terrestria, mare ac amnes aquatilia, ignis ex igne genita: quae feruntur plurima nasci in Macedonia: caelum item sidera. Haec enim in totum sunt animae immortales divinaeque, et ideo moventur in orbem, qui motus menti cognatus est. Horum enim singulorum mens est integerrima. Proinde necessario sequitur ut et aer fit plenus suis animalibus. Haec autem nobis sunt invisibilia, non tamen ideo quia non possumus animarum figuras visu assequi, aer eis est vacuus, comprehendere autem eas intellectu necesse est ut simile contemplerur per simile. Nec enim negabimus omnibus terrestribus aquatilibusque vitam per aerem et spiritum contingere. Quid pestilentia, nonne aere vitiato solet accidere, qui singulos animat? Idem quando illaesus est et innocuus, qualis solet esse flantibus auris septentrionalibus, nonne haustus purioris spiritus multum ad incolumitatem proficit? Et credimus eum qui alias aquatiles terrestresque animantes animat carere animalibus propriis? Imo, contrarium est credibilius, etiamsi reliqua elementa nihil animalium gignerent, tamen solum aerem animalia parere quando singulari opificis gratia

*Cassel ed. pp. 125-126*

The beings whom other philosophers call "genii," that is, the impulses born with us, Moses called "angels." These are souls floating in the air. And in no way should one think that this is a false invention, for it is necessary that there should be animate beings in all parts of the world. And we see that in each of its principal parts, which are the elements, there are animate beings suitable to them; the element of earth has terrestrial animals, the element of water has aquatic animals, and the element of fire has fire-born animals, of which, according to report, many are found in the region of Macedonia. And similarly the heavens all have stars, which are without doubt possessed of an immortal, divine soul, for which reason their movement is circular, since this is the natural movement for an intelligent soul. And every one of them is possessed of a complete soul. And thus it necessarily follows that the element of air also is filled with animate beings suited to it. These, however, are not revealed to us, but we do not judge that the air lacks them because we are unable to perceive the forms of souls through the sight of our eyes, but it is necessary to conceive them through the power of our mind, for we comprehend the existence of something through what is similar to it. And we cannot deny that all the animals of earth and water exist by the force of air and spirit. For if you will examine the matter, it will be clear to you that it is only when the air is mouldy that (disease) enters the body that has a spirit, and similarly, when it is pure and clean, as happens when the north wind blows, we feel that it is very beneficial to our health. And how can it occur to anyone that the air, which is the soul of all animals on earth and sea should lack its own animate beings? On the contrary, we ought to think that even if the other elements failed to produce animate beings, the element of

*Paganus ed. pp. 248-250*

indita sunt huic animarum semina. Harum quaedam descendere in corpora: quaedam semper abhorrent ab omnibus terrae partibus. Harum sibi sacratarum ministeriis summus ille parens et opifex uti solet in administrandis rebus mortalium. At illae alterae tamquam in flumen descendentes in corpus, aliquando rapidissimis eius absorbentur gurgitibus: aliquando eluctare contra impetum primum enatant, deinde revolant illuc unde avolaverant. Hae sunt animae supernam quandam doctrinae philosophiam, quae ab initio finem usque meditantur mortem corporum ut incorpoream incorruptibilemque vitam apud illum ingenitum incorruptibilemque adipiscantur. At quae submerguntur sunt reliquorum hominum qui neglecta sapientia dediderunt se incertis fortunae flatibus, quorum nullus fert ad optimam nostri partem, mentem videlicet, sed omnes ad cognatum nobis corpus cadaverosum, aut ad res magis quam hoc inanimas, puta gloriam, pecuniam, potestate honores et caetera quae homines numquam vera bona contemplati fingunt pinguntque sibi decepti vanis opinionibus. Proinde si cogites animas, genios, angelos non tam re differre quam nominibus, exoneraberis superstitionis onere gravissimo. Quemadmodum autem vulgus dicit bonos malosque genios et similiter animas, sic etiam angelos: alteros qui boni vocantur legatos quosdam ultro citroque commeantes inter Deum et homines, sacrosanctos propter hoc inculpabile pulcherrimumque ministerium: alteros e diverso profanos ac nefarios

*Cassel ed. pp. 125-126*

air would not by any means lack them, since this grace has been bestowed upon it by the Creator, namely that from it should come the powers through which all animate beings get a soul. And of the spiritual beings which we have mentioned, some came down into bodies, and others always keep far from all parts of the earth. And the Most High God, the Creator of all uses the services of these holy beings for the administration of temporal affairs. But the others descend into bodies, and, as it were, descend into a stream and sometimes are swept away by its waves and breakers. And sometimes when they overcome the current, they at first float upon the surface of the water, and afterwards they spread their wings in flight upward to return to their place, where they were of old. These are the souls which are perfected in the science of the higher wisdom, and from the beginning see the end of the body which is destined to die, and they acquire eternal life with God, Who exists for ever. But those that sink into the water are the souls of the rest of mankind, who through contempt for wisdom and righteous deeds have delivered themselves to the camp of the wind that blows and will not bear them to the best part that is ours, I mean the mind, but drives them to the body, which is subject to death that is born with us, or to things even less spiritual than this, such as wealth and honor and political power and glory and the other things that men who have never recognized the true good have imagined and deceived themselves into inventing because of their false beliefs. And so, if you reflect that souls, spirits and angels are not different in essence but in name, you will be saved from great folly. And just as the populace speaks of "the good impulse" and "the bad impulse" and similarly of a good soul and a bad soul, so (Scripture) speaks of good and bad angels. Those who are called good are those who are sent hither and thither and mediate between God and



*Paganus ed. pp. 248-250*

quos et ipse abominandos haud falso dixeris. Testis est hymnographus, cuius sunt haec verba in quadam cantico: Emitit in eos iram furoris sui, furorem, iram oppressionemque, immersionem per malos angelos. Hi sunt illi mali angelorum nomen usurpantes, qui recte rationis filias scientias et virtutes nesciunt, morti autem obnoxias hominum mortalium progenies consecrantur, quae nullam naturam secum afferunt pulchritudinem sola mente visibilem sed fucatam formam qua sensus decipitur. Accipiunt vero non easdem omnes filias sed alias alii selectas sibi ex innumeris, quidam per visum, quidam per auditum, quidam etiam per remotissimas occasiones intendendo suas concupiscentias varias.

*Cassel ed. pp. 125-126*

man, and because of this good and pure service they are given the attributes of holiness and purity. And the other angels are, on the contrary, unclean and bad, and if you call them abominable, you will not speak falsely of them. The Psalmist testified to this in saying (Ps. 77.49), "May He send upon them the rage of His anger etc.," which means the sending of bad angels. And these are the bad ones who adorn themselves with the attribute of angel, but the daughters of reason and the progeny of wisdom and righteous deeds are unknown to them. Instead, they pursue the daughters and progeny of men, who are subject to death and are empty and void of all natural and true beauty, which is comprehended only by the imagination of reason, and have only the false appearance that deceives our senses. And they took for themselves some of these daughters, not all of them in the same manner, but each chose from among them in accordance with that sense in which an animal takes pleasure, one on the basis of sight, another on the basis of hearing, and others delighting in taste or sexual pleasure or other forms of indulgence.

## DE PLANTATIONE 14

*Paganus ed. p. 190**Cassel ed. p. 126*

Duo autem genera in terra et aere fecit opifex, in aere quidem volucres sensibiles et potestates alias sensu haud perceptibiles: animarum sodalitium istud est incorporearum, non in eosdem digestarum ordines. Alias enim assignari ferunt mortalibus corporibus et post certos temporum circuitus liberari denuo, alias diviniorem habitum sortitas totam terrenam regionem contemnere: in summo autem prope ipsum aetherem esse purissimas, quas Graecorum philosophi heros vocant et genios, Moses ex re nomen facit eis angeli, quod bonarum rerum internuntiae sint a summo rege ad subditos, ac rursum pro horum necessitatibus legatione ad illum fungantur.

Indeed, in the element of air are found two kinds of living creatures; one is that of all birds and all winged creatures that are visible to the eye; and the other is that of imperceptible powers, these being the congregation of incorporeal souls, which are divided in respect of rank. Of some it is said that they are set apart to be attached to bodies subject to death, and after cycles of time they are released as formerly. And others, which have been allotted a divine nature, despise all parts of the earth. And the purest of all are those called by the Greek philosophers "divine beings" and "spirits"<sup>87</sup> dwelling in the upper regions close to heaven; these Moses in view of their activities calls "angels" (messengers) because they are intermediaries between the great God and His creatures below, to instruct them in good; and similarly, in accord with the needs of the latter, they bring up a report of them to God in heaven.

## DE CONFUSIONE LINGUARUM 174-175

*Paganus ed. p. 300**Cassel ed. p. 127*

Est et in aere animarum incorporearum sacratus chorus, assecla illarum caelestium. Nam has solent angelos nominare divina oracula. Hic universus exercitus in suos digestus ordines imperatoris summi iussa exsequitur et huic uni moderatori suo sicut fas est obsequitur, in quibus copiis non licet reperire

Behold in the air is found a holy congregation of souls unattached to matter, and they wait on the heavenly souls. These are the eternal beings who are called "angels" in the holy scriptures, and they are divided in rank. And their task is to go on missions for God, and Him alone they serve. And of all their countless numbers not one is found who transgresses the commands of the King, who is the most high great

<sup>87</sup> beney 'Elohim, yešarim.

*Paganus ed. p. 300*

desertorem ordinis. Rex ipse his ministeriis stipatus utitur eis duntaxat ad ea negotia quae decet non a solo Deo tractari quamvis enim nullius ope indigeat pater omnium qua subleventur quoties vult aliquid facere: tamen vidit quid se, quid creaturas deceat et quaedam potentiis subditis efficienda permittit ne his quidem concessa facultate in totum libera ut ne quod erratum in generatione admittatur.

*Cassel ed. p. 127*

God. He makes use of these attendants only for those necessary matters which are not properly done by God Himself, since He, the creator of all, is not in need of assistance from any created being to lighten His work when He wishes to do anything. But He considers what is fitting for Him on His part to do, and accordingly He leaves some things to be done by these appointed officers without thereby giving them the power to act freely, lest they err in some manner in carrying out (His commands).

## DE SOMNIIS I.138-145

*Paganus ed. p. 501*

Harum aliae descendunt illigandae corporibus mortalibus quotquot viciniore sunt terrae amantioresque corporum, aliae sursum redeunt separatae denuo post praefinitos a natura terminos, et ex his aliae tactae vitae desiderio rursum ad eam recurrunt. Aliae pertesae huius vanitatem corpus ceu sepulchrum aut carcerem fugiunt et sublimem aetherem petentes pennis levibus totum aevum ibi exigunt. Sunt item quaedam purissimae optimaque omnium quae altius diviniusque sapiunt, aspernatae ista terrestria et humilia, ministræ omnipotentis tamquam magni regis aures et oculi, videntes audientesque omnia. Has genios philosophi, angelos vocant sacrae literae nomine aptissimo. Sunt enim internuntiae, patris mandata perferentes ad filios, et ad illum vicissim preces filiorum. Ideo inducuntur ascendere et descendere, non quod indicibus opus habeat Deus qui

*Cassel ed. p. 127*

Behold, many of these souls descend to be united to mortal bodies, and these are the ones which dwell closer to the earth and are more inclined to love of matter. And many of them return again to the regions on high by breaking away from their bodies at the end of the period determined by nature. And of these also there are many which being drawn by desire to this life return to it anew, while some are found to be fearful of the vanities of the world and their bodies, like those who flee from prison and the grave, and they rise toward heaven, where those that are light of being remain for ever. And there also are found some that are purest and best of all, and these rise to a higher and more divine place, for they despise low and earthy things, and they serve God and are, as it were, ears and eyes to the King of the universe, seeing and hearing everything. These are called "genii" by the philosophers, that is, spirits, but Holy Scripture calls them "angels." And this name is very appropriate to them, since they are intermediaries and report the commands of God to His children, and to Him likewise do they bring their

*Paganus ed. p. 501*

iam ante scit omnia, sed quoniam id conducit nobis mortalibus habere mediatores illos et arbitros quo magis revereamur rerum omnium praesidem et eius maximam potentiam, quam reputantes olim rogavimus quendam mediatorem: Loquere nobis tu, Deus non loquatur ad nos ne moriamur. Adeo enim non possumus ferre illum castigantem ut ne mera quidem eius beneficia queamus capere si ea per seipsum sine aliis ministris porrigat. Pulchre autem scala terrae infima sua parte haerens figurat aerem. Exhalationes enim e terra expirantes tenuantur in aere ut terra quasi radix, caelum vero quasi caput sit aeris. Sunt certe qui dicant lunam non esse globum puri aetheris, ut caetera sidera, sed mixtum ex aethere aereque: et apparentem in ea maculam, quam nonnulli vocant faciem, nihil aliud esse quam admixtum aerem, qui suapte natura niger usque ad caelum tenditur.

*Cassel ed. p. 127*

petitions. And therefore he (Jacob) saw them "going up and coming down," not because God needs informants, for He knows everything but, because it is useful for us mortals that these (angels) should be intermediaries and spokesmen for us, for in this way we shall the more greatly fear the great God and His immeasurably great power. As is well known, it was out of reverence for His power that we sought out a mediator saying, (Ex. 20.19), "Speak thou to us and we will hearken etc." And behold, how can we endure His might when He is angry with us, if we are not able to endure even His kindness unless a mediator brings it to us. And therefore with great wisdom (Scripture) likens the whole air to a ladder, of which the feet are on the ground and the head in heaven, for the exhalations that issue from the earth become more subtle and go up into the air in such a way that the earth is a root to it, and the heaven is the head and summit. And some scholars say that the body of the moon is not a pure etherial sphere like the stars, but is a mixture of air and ether, and that the spots which appear on it and which many call "the face of the moon" are nothing but mixed air that reaches to heaven, being drawn by nature.

## APPENDIX III

## Two Passages from Marsilio Ficino Cited by Azariah

*Marsili Ficini Florentini . . . Opera*, Basel, 1561.

Vol. II, p. 1836 (Azariah, Cassel ed. pp. 100-101).

Argumentum Marsili Ficini Florentini in librum  
Mercurii Trismegisti ad Cosmum Medicem patriae  
patrem.

Eo tempore quo Moses natus est floruit Atlas Astrologus Promethei physici frater ac maternus avus maioris Mercurii, cuius nepos fuit Mercurius Trismegistus. Hoc autem de illo scribit Augustinus quanquam Cicero atque Lactantius Mercurios quinque per ordinem fuisse volunt quintumque fuisse illum qui ab Aegyptiis Theut, a Graecis autem Trismegistus appellatus est. Hunc asserunt occidisse Argum, Aegyptiis prae-fuisse eisque leges ac literas tradidisse. Literarum vero characteres in animalium arborumque figuris instituisse. Hic in tanta hominum veneratione fuit ut in deorum numerum relatus sit. Templi illius numinis constructa complurima. Nomen eius proprium ob reverentiam quam pronuntiare vulgo et temere non licebat. Primus anni mensis apud Aegyptios nomine eius cognominatur, oppidum ab eo conditur, quod etiam nunc Graece nominatur Hermopolis, id est Mercurii civitas. Trismegistum vero ter maximum nuncuparunt quoniam et philosophus maximus et sacerdos maximus et rex maximus extitit. Mos enim erat Aegyptiis, ut Plato scribit, ex philosophorum numero sacerdotes, ex sacerdotum coetu regem eligere. Ille igitur quemadmodum acumine atque doctrina philosophis omnibus antecesserat, sic sacerdos inde constitutus, sanctimonia vitae divinorumque cultu universis sacerdotibus praestitit ac demum adeptus regiam dignitatem, administratione legum rebusque gestis superiorum regum gloriam obscuravit ut merito ter maximus fuerit nuncupatus. Hic inter philosophos primus a physicis ac mathematicis ad divinorum contemplationem se contulit. Primus de maiestate Dei, daemonum ordine, animarum mutationibus sapientissime disputavit. Primus igitur theologiae appellatus est auctor: eum secutus Orpheus secundas antiquae theologiae partes obtinuit. Orpheus sacris initiatus est Aglaophemo [*sic*] successit in theologia Pythagoras, quem Philolaus sectatus est, divi Platonis nostri praeceptor . . . E multis denique Mercurii libris duo sunt divini praecipue, unus De Voluntate Divina, alter De Potestate et Sapientia Dei. Ille Asclepius, hic Pimander inscribitur. Illum

Apuleius Platonius Latinum fecit, alter usque ad haec tempora restitit apud Graecos, at nuper ex Macedonia in Italiam advectus diligentia Leonardi Pistoriensis docti probique monachi ad nos pervenit. . . Edidit (Mercurius) vero librum Aegyptiis literis idemque Graecae linguae peritus Graecis inde transferendo communicavit Aegyptiorum mysteria.

Vol. II, p. 1443 (Azariah, Cassel ed. p. 113).

Materiam non fuisse inordinatam ante mundi tempora sed quadam ordinis ratione.

## CAP. XII

Ex his omnibus colligere possumus materiam non esse aequalem mundi fabro: non esse ante mundum ullo temporis intervallo, licet origine quadam et ordine: non iactari inordinate ante ordinem sed erraturam fuisse procul ab ordine quantum in se est nisi statim desuper ordinata fuisset. At ne quis hunc loquendi modum improbet in Platone fingente materiam ante mundum inordinate iactatam, audiat et Mosen ante mundi distinctionem dicentem terram fuisse inanem et incompositam et super faciem abyssi tenebras extitisse. Mitto in praesentia poeticum chaos. Adducere iuvat in medium Philonem Iudaeum similibus verbis Moysis Genesim exponentem. "Si quis causam quare universum hoc creatum sit velit exquirere, non errabit meo iudicio si id existimabit quod quidam ex veteribus protulit: bonum esse creatorem ipsum et genitorem et autorem universi, et bonitatis suae gratia nulli substantiae invidisse quae suae naturae nihil boni haberet, et tamen fieri omnia posset. Erat enim sua ipsius natura inordinata, informis, inanimata, omnino varia, incongrua, inconcinna, inconstans, apta quae in contrarium mutaretur et optimarum rerum rationem susciperet, formae videlicet, animationis, similitudinis, congruitatis, concinnitatis, omnium denique rerum ideae melioris." Item in secundo eiusdem libri volumine. "Cum," inquit, "creator substantiam inordinatam et natura sua confusam in ordinem ex inordinatione et in discretionem ex confusione traductam formare coepisse: terram atque aquam medio loco firmavit." Haec Philo. Proinde si gradus rerum sex in superioribus adductos consideraveris, perspicies forte quam similis sit Plato Moysi, sex diebus mundi Genesim absolventi: quam similis et Pythagoras, probans senarium numerum Genesi nuptisque prorsus accomodari, unde et Gamon appellat, propterea quod partes suae iuxta positae ipsum gignant similemque reddant genitum genitori.





# THE WASHINGTON HAGGADAH AND ITS ILLUMINATOR

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## I. DESCRIPTION OF THE WASHINGTON HAGGADAH

WE possess considerable knowledge regarding the illuminated Haggadahs of the Middle Ages. Those who, in 1898, published the Sarajevo Haggadah<sup>1</sup> treated all of the illuminated mediaeval Haggadahs about which they were informed. Thirty years later, when the Darmstadt Haggadah appeared,<sup>2</sup> a new and extended list of Haggadahs stood enumerated and described in that edition.

The Washington Haggadah, as we shall call it since its depository is the Congressional Library, receives no mention in either of those earlier publications. Nor is it treated anywhere else. It belonged to the collection of Ephraim Deinard and reached the Congressional Library in 1912 as a gift of the late Jacob H. Schiff. Its first mention occurs in the 1928 report of the Congressional Librarian.<sup>3</sup> My own attention was first called to the manuscript by Prof. Alexander Marx of New York City in 1942. I hastened to Washington, at that time, only to learn that their most valuable codices had been stored away owing to the war. As a consequence, it was not until after the termination of hostilities that I obtained my first glance at the Haggadah. I am indebted to the Congressional Library for having graciously forwarded the manuscript to the Hebrew

<sup>1</sup> Cf. Heinrich Mueller and Julius von Schlosser, *Die Haggadah von Sarajevo*, Vienna, 1898.

<sup>2</sup> Cf. Bruno Italiener, Aron Freiman, August L. Mayer, and Adolf Schmidt *Die Darmstaedter Pessach-Haggadah*, Leipzig, 1927.

<sup>3</sup> Information obtained through Mr. Sidney Glazer, Acting Chief, Near East Section, Library of Congress, and Mr. Israel Schapiro, former Chief of the Hebraic Section, Library of Congress.

Union College Library in Cincinnati by way of loan, thus enabling me to pursue this study.

As is usual with Haggadahs which were intended to lie in considerable numbers on the Seder table, the format — six inches by nine — is a small one. Also in keeping with custom as well as with conditions imposed by the book's limited size, the writing occupies not more than one column a page. The material used is parchment, the customary material for mediaeval manuscripts which, in view of the great amount of work needed for their preparation, had to be made of durable stuff. Decorations and illustrations adorn these 38 leaves, the fronts of which we shall designate with the letter *a* and the backs with the letter *b*. Decorative are the initials or, to speak more precisely, the initial words; Jewish books stressing the initial word rather than the single letter: the overwhelming size of one letter tended to obscure the word's context and consequently its meaning. Smaller initial words alternate with larger ones such as occupy the entire width of a column. The large initials are of burnished gold and are set upon a colored foil, itself ornamented with patterns and hemmed by a border which is, in some cases, encircled by additional ornamentation. On fol. 3b, here pictured (fig. 1), together with the page by which it is followed, the initial word occupies well nigh a third of the page. Ornament also embellishes the lower rim: a vase out of which emerges a diminutive tree is flanked by two birds with colored plumage.

The illustrations set in the side margins are these: Fol. 1a displays that favorite Haggadah *motif*, the gathering and the removal of the leaven by the father of the family. Holding a taper in his right hand and a bowl in his left, that personage stands before the cupboard performing his task. Farther to the right, he appears again, this time holding a pair of bellows with which he fans the flame that consumes the gathered fragments.

On fol. 4a (fig. 1), the father of the family appears once more. We see before him the Seder table spread with a narrow cloth in festive style. With his left hand, he pours wine from a golden pitcher into a golden goblet standing on the table. In his right hand, he holds aloft a second goblet. This accords with the prescription to fill two wine cups, one for one's self and one for

Elijah, because it is expected that Elijah will arrive on the Seder evening. Inasmuch as this illustration is to be found at precisely the place in the Haggadah at which the father has to fill his goblet for a second time, we may regard this picture as an admonition pertaining to the performance of the ceremony. To be noted is the fact that the hand does not grasp the goblet around the side but holds it in the palm. This is the traditional manner with allusion to Gen. 40.11, "I gave the cup into Pharaoh's palm."

The next illustrations (fol. 5b, 6a) represent the four sons placed on facing pages so that we can see all of them in one glance (fig. 2). The wise son sits before a desk on which a book lies open. The wicked son appears as a warrior, his hand upon his sword. The simple son also reads from a book like the wise son. But his attire is plainer and — what is of particular moment — he sits upon the ground in the position of the pupil "sitting at his teacher's feet." The simple son is of scant mentality and has much to learn. The son who knows not how to ask questions is represented as a clown wearing cap and bells and beating a drum. This son obviously earns his livelihood by making people laugh. He holds one finger sticking in his mouth, the retention of which infantile habit may well betoken stupidity. It is more likely, however, that the finger on the mouth indicates inability to speak. It is this speechlessness that caused mental retardation and the attendant incapacity to ask questions.

Fol. 7b pictures a man with a satchel at his side and a javelin on his shoulder, evidently on the move (fig. 3). Is this Laban who, according to the Haggadah, went down to Egypt in order to found a nation? In the Cincinnati Haggadah, a German manuscript of the fifteenth century preserved at the Hebrew Union College, we can see, at the same place, a journeyman apprentice striding across some meadows and holding a book in one hand and a lance in the other and wearing a sword at his side.<sup>4</sup> Surely this man is not Laban. For what has Laban to do with a book? The picture embodies the urging: "Go and learn," that is, go and learn what Laban, the Aramean, schemed to do to thy

<sup>4</sup> Cf. Franz Landsberger, "The Cincinnati Haggadah and its Decorator," *HUCA*, XV (1940), p. 533.

father. This is not the only place, in illuminated Haggadahs, marked by such detachment of separate words. For example, the advice regarding the simple son: **אָתָּה פֶּתַח לוֹ** "Thou shalt open for him," though meaning open up conversation with him, is sometimes taken quite literally and is thus presented. In the Cincinnati Haggadah, a child, standing before the simple son and using both hands, opens the simple son's mouth. In the so-called Second Haggadah of Darmstadt (State Library, cod. or. 28), a German manuscript of about 1500, a man thrusts his hand toward the mouth of a boy who is kneeling before him;<sup>5</sup> while, in the Washington Haggadah, a striding man stands next to the initialed word **אָז**, "Go." The artist here limits himself to that single word: hence, a man who strides but does not carry a book. This man is on his way to the chase, as is evident from the hare scurrying beneath his feet.

Fol. 14b, 15b, and 16a illustrate the three dietary features which R. Gamaliel regarded as indispensable for the proper observance of the feast: the paschal lamb, the unleavened bread, and the bitter herbs. The paschal lamb is being roasted on a gridiron which a man keeps in motion. (fig. 4). Two women are occupied with cooking, while a dog, avidly licking his chops, looks on. Diverging from custom, the unleavened bread is offered not by a man but by an ape sitting on a pillow (fig. 5). Still more animated is the picture illustrating the bitter herbs. Here a man holds the bitter herbs in his left hand while, with his right, he points to a woman (fig. 6). The same jest turns up in still other Haggadahs: for instance, in a German Haggadah of Munich,<sup>6</sup> and an Italian Haggadah which once belonged to the late Baron Edmond de Rothschild of Paris,<sup>7</sup> both of the fifteenth century. The Washington Haggadah supplies an additional touch: the woman holds a two edged sword. This finds its explanation in Prov. 5.3, 4:

<sup>5</sup> Cf. Bruno Italiener and others, *Die Darmstaedter Pessach-Haggadah*, l. c. p. 24.

<sup>6</sup> Universitaets-und Staatsbibliothek, Cod. hebr. 200, fol. 21b. Reproduction in *Encyclopaedia Judaica*, X, col. 87.

<sup>7</sup> This Haggadah is contained in a Siddur. Cf. Italiener, *Die Darmstaedter Pessach-Haggadah*, l. c. 24.

For the lips of a strange woman drop honey,  
 And her mouth is smoother than oil;  
 But her end is bitter as wormwood,  
 Sharp as a two-edged sword . . . <sup>8</sup>

Fol. 17a shows a man (fig. 7) holding a goblet, this time with both hands, yet again holding it in such a manner as to be supporting it with his palm. In this picture also, we recognize the instruction that now the goblet be filled, the picture taking the place of the verbal directions which our printed Haggadahs provide at this point.

Fol. 19b presents the interesting scene which, in most Haggadahs, both the written ones and later the printed ones, attends the words from Ps. 79.6:

“Pour out Thy wrath upon the nations  
 that know Thee not.”

At the reading of this passage, the door is opened to admit the prophet Elijah. Elijah is here suggested as the forerunner of the Messiah who is to sit in judgment upon unbelievers, as announced by the Prophet (Mal. 3.23): “Behold, I will send you Elijah the prophet before the coming of the great and terrible day of the Lord.” In rare instances, the manuscripts portray the Divine wrath itself, a hand pouring out blood. Usually, the Haggadahs deem sufficient a representation of Elijah or of the Messiah or of both combined where Elijah sounds the trumpet to proclaim the Messiah’s advent. Since the new arrival in our picture (fig. 8) sits upon an ass, one would take him to be the Messiah in accordance with Zech. 9.9:

Rejoice greatly, O daughter of Zion,  
 Shout, O daughter of Jerusalem;  
 Behold, thy king cometh unto thee,  
 He is triumphant and victorious,  
 Lowly, and riding upon an ass,  
 Even upon a colt the foal of an ass.

<sup>8</sup> For this interpretation, I am indebted to the kindness of Dr. Irving Levey.



But, in our picture, the man on the ass looks not at all victorious. He is old and white bearded and bent with years. Furthermore, he is being approached by a man who comes out of the house bearing a goblet of wine, the aforementioned goblet of Elijah. The figure is assuredly that of Elijah who here, for once, fulfils the yearning of every Seder night, the yearning for his return. A father with his son as well as a mother with her daughter have seated themselves upon the beast, while the smallest of the children lets itself be pulled by the animal's tail. Other Haggadahs harbor similarly jocund elaborations; for example, that of the John Rylands Library No. 7 in Manchester, England, (formerly that of the Earl of Crawford)<sup>9</sup> and the so-called Second Haggadah of Nuremberg in the German National Museum of Nuremberg,<sup>10</sup> both of them fifteenth century German manuscripts.

Fol. 22a (fig. 10) shows a walled city with a prisoner languishing in one of its towers. The meaning of the picture rests upon a verse in the 118th Psalm quoted in the Haggadah's text: "Out of my straits I called upon the Lord." "Straits" is here construed not as affliction of soul but as a constraining wall. In the Middle Ages, the prison was usually located in a tower. At that point in the aforementioned Italian Haggadah of the late Baron Edmond de Rothschild, David is pictured as hemmed in by rocks.

Fol. 30a likewise shows a suppliant, this time kneeling in a lions' den (fig. 9). Daniel is mentioned in the song, "And it came to pass at midnight," where it says: "He who was delivered from the den of lions interpreted Thy dreadful dreams of the night," that is to say, the dreams of King Nebuchadnezzar. Such is the picture's content, crudely presented, especially as regards the sketching of the lions, yet striking in its simplicity and directness.

The *Eḥad Mi Yode'a* and the *Had Gadya*, which supply material for an abundance of scenes in Haggadahs of the eighteenth century, had not yet been incorporated in the Haggadah at the time of our Washington text. The cycle of pictures ends

<sup>9</sup> Cf. Mueller-Schlosser, *Die Haggadah von Serajevo*, I. c., plate XXX, 1.

<sup>10</sup> Reproduction in the *Juedisches Lexikon*, II, col. 351/352.

therefore with the scene representing Daniel. The only embellishments on the last pages are those of the initial words.

In what country did the manuscript originate? Various comparisons which we have drawn with scenes from other Haggadahs would indicate Germany. Yet there are many obstacles to the assumption of a German origin. To begin with, we miss the hare chase customary in German Haggadahs of late mediaeval times. Furthermore, the writing other than that of the traditional text — and traditional texts are hard to localize — would point to Italy. Finally the repertoire of forms in our Haggadah evinces everywhere a close association with Italian art. The initial word shown in our figure 1 is encircled by golden fruit, probably golden oranges — a motif often to be noted in Italian-Jewish manuscripts.<sup>11</sup> There is also a suggestion of Italy in the vase on the same page, a majolica vessel for which we



MAJOLICA VASE FROM 15TH CENTURY ITALY, VIENNA, COUNT LIECHTENSTEIN.

<sup>11</sup> Compare, for example, the *Mahzor* of 1485 in possession of Mr. Felix Guggenheim, Los Angeles, Cal. (formerly in the Frauberger Collection, Duesseldorf). Reproduced in Heinrich Frauberger, *Verzierte hebraeische Schrift und juedischer Buchschmuck*, Frankfurt a. M., 1909, fig. 39. Ibid. fig. 38 an Italian *Siddur*, with the same motif, in the British Museum. Compare further the *Prayerbook* of the University Library, Princeton, N. J. Reproduction in Erwin Panofsky, "Giotto und Maimonides in Avignon," *The Journal of the Walters Art Gallery*, IV, 1941, pp. 27 ff.

show, on the preceding page, a counterpart in the Vienna collection of Count Liechtenstein. Italian also is the diminutive tree placed therein; precisely in that country, does a tree get trimmed to such regularity of contour. The structures surrounding the suppliant in his tower (fig. 10) all possess the features of an Italian city. In the center stands the townhall, a typical *Palazzo Comunale*, with an open gallery in the second story. The townhall tower does not ascend from the building itself but stands alongside of it, as with Italian churches which have their towers alongside and detached from the main edifice. Finally all of the wearing apparel shown in the pictures is such as has its home in Italy. Here are to be found the short coats like those worn by the father of the family while he searches for leavened bread and by the man who extends the goblet to Elijah (fig. 8). Characteristic of Italy also is the headwear, those barrettes and those kettle shaped hats or caps that extend far in front of the face and terminate in a point (fig. 7).

All of this leaves no doubt that Italy was the land in which the manuscript originated. The parallels of content with German Haggadahs are to be explained by the cultural interchanges which occurred between the Jews of Germany and those of Italy, particularly of Northern Italy.

The date of the manuscript can be inferred from the colophon inscribed on page 34b and here shown in facsimile:

תשום תמלכא דרז ויהי היום כה ימים אחד  
 שבת שנת רל"ה לפרט נאם הקטן שבסופרים  
 דוד בן שמואל א"

"This task has finally been completed (or: the work has come to an end and likewise the ink). This occurred today, the 25th day of Shebat in the year 238 of the minor reckoning. Thus speaketh

he of little consequence among the writers, Joel, the son of Simeon, may his memory be for a blessing."

By Christian calendation, this Haggadah was finished in the year 1478, which fully comports with the character of the manuscript. Earlier illuminated Haggadahs, those for instance of the thirteenth and fourteenth centuries, keep the biblical scenes in the foreground. Genre pictures, in addition, appear only in isolated instances. In the fifteenth century, the historical-religious pictures recede and scenes derived from the surroundings come to dominate. The Washington Haggadah goes particularly far in this secularization. The story of Israel's Exodus under the leadership of Moses is entirely omitted. The only biblical scenes represented are that of the suppliant Daniel and that of the arrival of Elijah which is to occur in the future. The latter picture (fig. 8) is also enriched by features of the genre type. Here, as in various other scenes, there comes into play a certain rough humor which imparts, to manuscripts of this period, a folk-art freshness.

The producer of the Washington Haggadah, Joel, the son of Simeon, bears a name which appears likewise in other mediaeval manuscripts. The question arises: Are all of these manuscripts the work of one and the same artist or is the producer of the Washington Haggadah known through no other piece of work than this? In order to answer this question, we shall have those other manuscripts pass before us in review and shall, for the sake of what follows, divide them into groups.

## II. GROUP OF ABOUT 1400

- a) The First Nuremberg Haggadah
- b) The First New York Haggadah

In the German National Museum at Nuremberg, there are two illuminated Haggadahs, the older of which, the so-called First Nuremberg Haggadah we now consider. This Haggadah contains a fair number of pictures having technically something in common. Here the drawing is not, as in the Washington Haggadah, placed on uncolored parchment. Rather the reverse, the parchment is, at various places, covered with a brown sepia tint

from which the ornaments and the figures look out as areas of bare vellum. Thus does this manuscript treat the initials, likewise the illustrations, the latter — characteristically — enclosed in circles. We note, on our illustration, the medallion in the middle and then, following the series from right to left, Joseph languish-



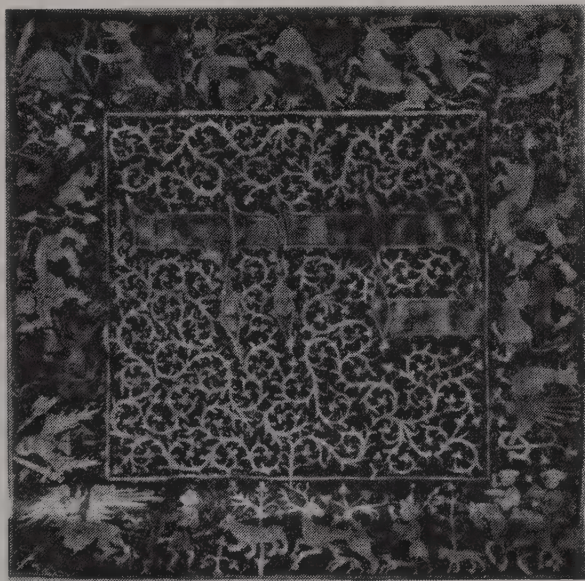
PAGE FROM THE FIRST NUREMBERG HAGGADAH

ing in prison, Adam and Eve in Paradise, Jacob and Rachel, Jonah in the jaws of the fish, the Judgment of Solomon, Jacob and Leah, Isaac blessing Jacob as Esau returns from the chase, also Balaam on the she-ass.<sup>12</sup> These scenes are sketched naively and with many a blunder. But there asserts itself such an eager joy of creativeness as to delight anyone who views them.

<sup>12</sup> Reproduced and interpreted in Rahel Wischnitzer-Bernstein, *Gestalten und Symbole der juedischen Kunst*, Berlin-Schoeneberg, 1935, fig. 76, and pp. 132 ff. Further reproductions in the publication of the *Haggadah von Serajevo*, l. c. Plates XI-XIV.



At the Jewish Theological Seminary in New York, there are likewise two illuminated Haggadahs to be designated as the First, because the older, and the Second, because the more recent. It has already been recognized that the First New York Haggadah bears a close relationship to the First Nuremberg Hag-



PAGE FROM A MANUSCRIPT IN LONDON, BRITISH MUSEUM,  
ADD. 19776

gadah.<sup>13</sup> In the New York manuscript, at least on fol. 1b, is to be seen the technique above described. Here likewise appear medallions in which bare parchment constitutes the figures, in this instance animals.

Differing from the First Nuremberg Haggadah, the First New York Haggadah has drawings also in its margins, so faded and,

<sup>13</sup> Cf. Alexander Marx in *The Jewish Quarterly Review*, N. S. XIX, 1928/1929 p. 8, and Michael Fooner, "Joel ben Simeon, Illuminator of Hebrew MSS in the XVth Century," *ibid.* N. S. XXVII, 1937, pp. 217 ff.



in part, so mutilated that a reproduction is more than we can attempt. The inclination has existed to ascribe these drawings to another artist,<sup>14</sup> particularly since they are placed in the margin loosely, while those of the First Nuremberg Haggadah are merged with the text in an artistic unity. Yet fol. 14b of the New York Haggadah has the initial word שפוך on top and the representation of Elijah's advent at the bottom colored in exactly the same tints; which goes to show, beyond doubt, that both were produced by the same hand and at the same time. We shall accordingly have to ascribe all of the other drawings likewise to the artist who made the initials. The participation of a second artist for such a modestly adorned Haggadah is, in and of itself, unlikely.

It has further been recognized that the colophons of both Haggadahs resemble one another in several respects. In the First Nuremberg Haggadah, the colophon reads:<sup>15</sup>

I, the scribe (סופר) Joel, son of Simeon, may the memory of my father be a blessing, have written this Book of the Redemption (ספר הגאולה) for Nathan, son of R. Solomon, may the memory of the righteous be blessed. May the Holy One, blessed be He, enable them to read it and to sing it, they and their children, and their children's children unto the end of generations. Amen, Selah. Be of good courage and be strong. The scribe will not be in error, not to-day and not ever, until an ass will climb up a ladder.

That of the First New York Haggadah reads:<sup>16</sup>

I, the scribe (סופר) Joel, son of Simeon, of blessed memory, have written this [Book of the] Redemption for R. Samson, son of Baruch, of blessed memory, for him and his children and his children's children, for ever until an ass will climb up a ladder.

<sup>14</sup> Foener, l. c. pp. 212 ff.

<sup>15</sup> A facsimile of the Hebrew text is to be found in the publication of the *Haggadah von Serajevo*, l. c., p. 121.

<sup>16</sup> The Hebrew text is supplied by Alexander Marx in *The Jewish Quarterly Review*, N. S. XIX, 1928/29, p. 8.

"Until an ass will climb up a ladder" was a favorite witticism among writers of that time.<sup>17</sup> Consequently the expression will hardly serve to connect the two colophons. The colophons, however, have much more than this in common. The phrase *Sefer Hage'ullah* for Haggadah and the references to children and children's children combined with the identity of name and similarity of style renders it certain that both of the Haggadahs have emanated from the same hand.

The date is matter of dispute. In the First Nuremberg Haggadah, the words, "Next year in Jerusalem." are followed by the words in Yiddisch "or in Bruenn." The Jews having been expelled from Bruenn in 1454, that addition has been regarded as an expression of longing for the former home. Moreover, in the song, *Addir Hu*, the letters במהרה have tiny hooks. If we regard these as indications of numbers and the numbers as specifying the year, we get 252, that is, 1492, the year which the publishers of the Sarajevo Haggadah, as well as those of the Darmstadt Haggadah, regarded as the year in which the Nuremberg Haggadah originated.

Yet the art forms belie this dating. Such an eminent authority on the Middle Ages as Adolph Goldschmidt assigns both the style and the pictured costumes to the end of the fourteenth century.<sup>18</sup> Michael Fooner, without knowledge of Goldschmidt's dating, attributed the manuscript to the early 15th century, also on grounds of style.<sup>19</sup> A glance at the illustration on page

<sup>17</sup> Cf. Moritz Steinschneider, *Vorlesungen ueber die Kunde hebraeischer Handschriften*, Leipzig, 1897, p. 48. A drawing on this theme is contained in the *Sefer Mizvot Gadol* of Moses of Coucy, of the year 1410, in the Royal Library at Copenhagen, according to *Codices Orientales Biblotecae Regiae Hafniensis*, II, Copenhagen, 1851, Cod. XXXVIII. — The drawing of a donkey and a ladder appears also in a manuscript of the former Royal Library at Turin (Cod. 24). The Manuscript is of the year 1452/53. Cf. Adolf Berliner, "Ein Gang durch die Bibliotheken Italiens," in *Gesammelte Schriften*, I. Frankfurt a. M. 1913, p. 18.

<sup>18</sup> In his discussion of the book dealing with the Haggadah of Serajevo, in the *Repertorium fuer Kunstwissenschaft*, XXIII, p. 335.

<sup>19</sup> Fooner certainly errs in connecting these figures with those of a carpet reproduced and dated "about 1410" by Fritz Burger in his *Malerei der Renaissance*, I, Berlin-Neubabelsberg, 1913, p. 213. That carpet, preserved in

82 supports both of those investigators. That was the period in which figures have the spaceless volume of the Gothic, with proportions more compact and heads of larger size than in thirteenth century or early fourteenth century figures. That was also the period of plain garments with vertical folds which flow sideways at the bottom.

We might find a way out by granting that, while the style and the costumes belong to the period of about 1400, Jewish artists, separated from the world by the walls of the Ghetto, adopted this style belatedly. But a lapse of a full century? Long years of observation have taught me that the Jews of the Middle Ages followed, with little delay, the styles of the period and of the country in which they lived, particularly as regards the painting of manuscripts; perhaps because the Christian book, more mobile than the image in the church, readily found its way into Jewish hands where it furnished the models.

In the present instance, we can cite an additional manuscript to help us fix our date. In the British Museum at London, is to be found a manuscript, of which we produce an illustration on page 83.<sup>20</sup> The initial word *Baruk* is rimmed by a wide border whose ornamentation — animals and people in their diminutiveness, their playful attitudes, their attire — stands related to that of the First Nuremberg Haggadah. The manuscript, prepared by a certain Simchat ben Samuel Halevi, originated in Koburg, Germany. From the colophon, we obtain the date 1395. This permits us to conjecture a similar date for our present group of Haggadahs. The number 252 and the dating have evidently no connection. Nor is the phrase, "or in Bruenn," to be explained as a cry of yearning for the home in Bruenn which had to be abandoned in 1454. When the writer places after "next year in Jerusalem" with its pathos, the matter-of-fact

the Historical Museum of Basel, is today correctly dated "about 1430." Cf. Heinrich Goebel, *Wandteppiche*, Part Three: "Die germanischen und slavischen Laender," Vol. I, Berlin, 1933, p. 23, and ill. 6. The costumes on this carpet are distinctly richer than those of the First Nuremberg Haggadah with their dearth of ornamentation.

<sup>20</sup> Ernst Cohn-Wiener, "Bilderhandschriften aus dem Mittelalter," in *Berliner Juedisches Gemeindeblatt*, September 22, 1934.

words, "or in Bruenn," it is with the humorous intent of conveying that, even to the devout, Bruenn was more likely than far off Jerusalem.<sup>21</sup>

At the same time, the words "or in Bruenn" indicate the abode of the artist, permanent or temporary. It was in Bruenn that the first Nuremberg Haggadah had its origin. That city, belonging at that time to Moravia, held an old community, mentioned already in the 13th century. Thanks to the liberal outlook of Emperor Charles IV (1346-1378) and his successors, Bruenn was spared the massacres which raged in the fourteenth century, consequent upon the Black Death.<sup>22</sup> We must conceive of the First Nuremberg Haggadah and probably the First New York Haggadah as having originated in this atmosphere of security. That was a time when one could, without uneasiness, think of one's children and one's children's children as reading and chanting from both of those manuscripts.

### III. GROUP OF ABOUT 1450

- a.) The Second New York Haggadah
- b.) The Six Leaves Picturing the Tabernacle

This group contains, at least to begin with, two additional manuscripts, and a Joel, the son of Simeon, is their ornamenter. The first is a Haggadah, likewise in the Jewish Theological Seminary, which because of its later origin, we call the Second New York Haggadah. Unlike the First New York Haggadah, this Second one dispenses with illustrations. Flowers, animals, even people are used exclusively for decoration. On fol. 15b, for example, the initial word is surrounded by a chessboard design filled with alternating rosettes and human heads.<sup>23</sup> The

<sup>21</sup> A Hattstadt *Siddur* has, after the words, "Next year in Jerusalem," the addition, "or whatever God wills," in which a similar sentiment comes to expression. Cf. A. Marx, in the *Jewish Quarterly Review*, XIX, 1928/29, p. 7.

<sup>22</sup> Cf. Moritz Brunnër, "Geschichte der Juden in Bruenn," in the collection, *Die Juden und Judengemeinden in Mähren in Vergangenheit und Gegenwart*, Hugo Gold, editor, Bruenn, 1929, pp. 137 ff.

<sup>23</sup> Reproduction in my article, "Jewish Artists Before the Period of Emancipation," *HUCA* XVI, 1941, illust. 1.

text here reads: "This is the bread of affliction which our fathers ate in the land of Egypt," but the rosettes bear no relation to these words. The heads likewise serve only for ornamentation. On another leaf (57b), the initial word is encircled by four hares whose long ears form a square. On the next page appears a square formed by four men, each one's feet resting on the next one's shoulders. On another leaf, an initial word occupies a heart which an eagle carries by a chain. From a trumpet blown by a forester, hangs a flag which likewise contains a word (both on fol. 58b). Animals and people combine to shape initials, as



INITIAL WORD FROM THE SECOND NEW YORK HAGGADAH

in the example given above (fol. 134b). Other letters (fol. 27a) are filled with fluttering ribbons (see our illustration on p. 90), still others with tendrils vividly swinging.

An interesting motif is one which consists of letters filled with designs obviously meant to represent textiles. Such is indicated by the hand pulling those designs together like curtains (see our illustration on p. 94). To judge from the wavelike contours, these motifs are borrowed from the Chinese. Flowers and clouds are thus reproduced.

As in the case of the First New York Haggadah, there has been surmised here the hand of an assistant who supposedly

ornamented two of the pages with architectural vaultings, their pillars resting on animals and people, and human heads filling the arches.<sup>24</sup> However, I hold that the same artist who made the other pages made also these.

To this artist we can surely impute a second piece of workmanship, namely, the six loose leaves to which I referred in a previous article of this *Annual*.<sup>25</sup> On these leaves, kept at the Jewish Theological Seminary, are painted the Tabernacle and its appurtenances. Today I can, more clearly than ever, demonstrate the artist's identity. Compare the fluttering ribbons in the initials from the Second New York Haggadah (on page 90) and the page of the Tabernacle series which pictures the bronze laver, the trumpet, the two ram's horns, and the manna jar of the Tent of Meeting (on page 91). How the fluttering ribbons of the initials resemble the fluttering ribbon that dangles from the trumpet, while the serpent heads in the vertical strokes of the letters resemble the heads on the bronze laver! Both pieces of work possess the same hair-like lineaments which the artist achieves with not a little elegance.

As duly recognized, the Second New York Haggadah originated in Italy. This is indicated by the ritual as well as by the above mentioned human heads upon the chessboard design and upon the architectural representations. These representations happen to be such as have their parallels in Italian medallions and in Upper Italian architectural decorations. In further support of this conjecture, I might instance the motifs from the Chinese. Chinese textiles found early entrance into Italy and became so popular, already in the fourteenth and fifteenth centuries, that they attracted, among the Italians, some skillful imitators.<sup>26</sup>

I was also able to demonstrate Italian origin for the six leaves that picture the Tabernacle. The seven branched candelabrum is adorned with motifs of the early Italian renaissance. Even

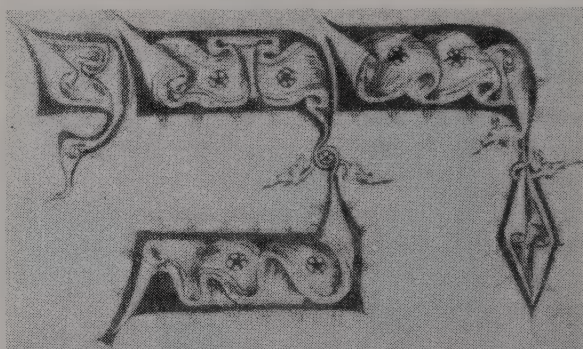
<sup>24</sup> Cf. Michael Fooner, *Joel ben Simeon*, l. c. p. 227. A reproduction of this in my article just mentioned, illust. 2.

<sup>25</sup> XVIII, 1944, pp. 291-294, with two reproductions.

<sup>26</sup> Cf. Otto von Falke, *Decorative Silks*, New Edition, New York, 1922, fig. 329 ff.



though the gargoyles and the animal-head endings on the bronze laver here illustrated may be of northern Gothic inspiration, nevertheless the jar above the basin, like the seven branched candelabrum, displays Italian motifs.



INITIAL WORD FROM THE SECOND NEW YORK HAGGADAH

The date of the Second New York Haggadah — there is no date for the six Tabernacle leaves — and the name of the artist can be gathered from the colophon. In the Second New York Haggadah, this reads:

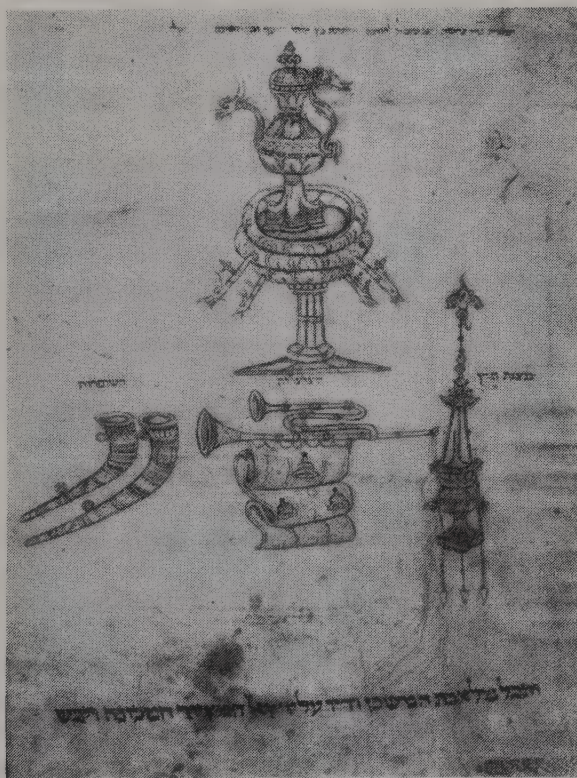
I, the scrivener (לבלר) Joel, son of Simeon, may his memory be blessed, called Phoebus Ashkenazi, from the city of Cologne on the river Rhine, have written, punctuated, and illuminated this Haggadah and completed it in the month of Elul 214 (= 1454).

The last of the Tabernacle leaves, as readily discernible in our illustration, ends with the words:

The making of the Sanctuary and its appurtenances was brought to completion by the hand of the painter Joel, called Phoebus.

Here again we meet a Joel, the son of Simeon. Only here he bears the added name Phoebus (Feibusch) and calls himself an Ashkenazic Jew from the city of Cologne. The specific mention

of German origin confirms the supposition that the artist was living abroad at the time the Second New York Haggadah was fashioned. In Germany itself every Jew was Ashkenazic and had no need of mentioning that fact.



PAGE FROM THE SIX LEAVES PICTURING THE TABERNACLE  
*New York, Jewish Theological Seminary*

That this foreign country happened to be Italy should, considering that it was the fifteenth century, occasion no surprise. Already before that time, numerous Ashkenazic Jews had migrated to Italy in order to escape threatening persecutions just as, in the late nineteenth century and in the twentieth cen-

tury, Jews went to the United States in order to find here a secure haven. Those Jews were hospitably received by their co-religionists, particularly in Upper Italy. Some of them, as a result of their rich learning, rose to such eminence that they came to function as community teachers and leaders.<sup>27</sup> That was where a Jewish scribe could feel himself politically and economically sheltered, especially if he possessed the artistic gifts so highly esteemed in that country both by Jews and by non-Jews.

### C. THE LONDON HAGGADAH, BRITISH MUSEUM ADD. 14762

In the summer of 1939, while viewing the illuminated manuscripts in the British Museum, I saw, in a showcase, a splendidly ornamented Haggadah with which I had previously been acquainted only through the description of Bruno Italiener and his collaborators.<sup>28</sup> I was unable to get a look at more than two of the pages, the librarian of the Department of Oriental Printed Books and Manuscripts who had charge of the key to the case being away on leave of absence. However, Dr. Irving Levey, while librarian at the Hebrew Union College, was so gracious as to have a photostat of the entire manuscript prepared for me. In this manuscript stands the name of a Joel, called Phoebus.

By contrast with the Second New York Haggadah which possesses decorations only, the London Haggadah presents a large number of illustrations. There are scenes from biblical history, such as the Exodus of the children of Israel from Egypt; likewise scenes from the time of our sages such as the Five Rabbis of Bene Berak (fig. 12) and, finally, scenes connected with Jewish ceremonials incident to the festival, not to mention a few scenes from still other spheres. Since, in the book describing the Passover Haggadah of Darmstadt, these scenes are individually treated, I shall here limit myself to two observations. Fol. 2a shows, according to Italiener, "a man and a woman

<sup>27</sup> Cf. Moritz Guedemann, *Geschichte des Erziehungswesens und der Cultur der Juden in Deutschland waehrend des 14. and 15. Jahrhunderts*, Vienna, 1888, pp. 246 ff.

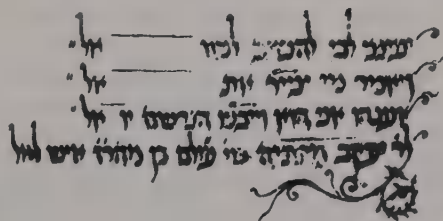
<sup>28</sup> Cf. *Die Darmstaedter Pessach-Haggadah*, l. c. pp. 194 ff. with three reproductions.

holding a dish." This is an allusion to the *'Erub Tabshilim* by which cooking for the next day is permitted on a festival if the next day be Saturday. The theme recurs in other Haggadahs, for instance in the Cincinnati Haggadah, where (fol. 2a) two men stand holding a *Mazzah* on which lies a piece of meat.

A youth on the move, (fol. 11b) with a staff on his shoulder (fig. 13) is interpreted by the publisher of the Darmstadt Haggadah as Jacob on the journey. But I question this. I hold that here, as in the Washington Haggadah (fig. 3) and in the Cincinnati Haggadah, we have a traveler without any historical individualization. Here also the text word **נָס** is especially prominent, that is, not the entire word but only the letter **נ**. And this helps to validate our interpretation. The "Go" is detached from the context and obtains, in the picture, an independent meaning.

The decorative portions of the London Haggadah far exceed those of the Second New York Haggadah as to magnificence. In the latter, the illuminator was satisfied with ornamented initials. In the London Haggadah, by contrast, luxuriant tendrils grow out of the letters' frame (fig. 12) with here and there, among the tendrils, various animals climbing about — on fol. 13b, for instance, a squirrel, a bear, an ape, a donkey, and two birds. While the initials of the Second New York Haggadah stand on bare parchment, those of the London Haggadah are set on tinted foils which are themselves ornamented with designs (fig. 14). The Washington Haggadah made us familiar with this process. In addition, as in our illustration, tendrils, vases, birds, even people, surround this foil in a fine web of lines.

We give here a facsimile of the colophon written on the margin of fol. 48b.



"To him who might ask: «Who designed this?» my heart prompts me to answer: 'I Phoebus, designated Joel, am the one, (having designed this) for Jacob Mattathiah, son of R. S., a godly man, may he live forever.'"



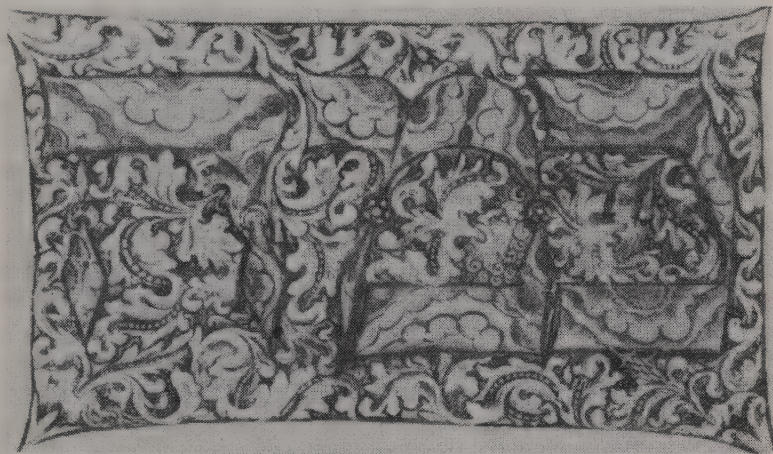
INITIAL WORD FROM THE SECOND  
NEW YORK HAGGADAH

While the transcriber of the Second New York Haggadah and of the six Tabernacle leaves designates himself as "Joel, called Phoebus" or as "Joel the son of Simeon called Phoebus," the London colophon lacks the name of the father and reads, instead of "Joel called Phoebus," "Phoebus called Joel" or, more literally, "Phoebus designated Joel."<sup>29</sup> Can it be that, de-

<sup>29</sup> In addition, as pointed out to me by my friend, Dr. Isaiah Sonne, the inscription is an acrostic forming the name Joel. Margoliouth, in his *Catalogue of the Hebrew and Samaritan Manuscripts*, Part II, London, 1905, p. 204, and Italiener in his *Darmstaedter Pessach-Haggadah*, l. c. p. 196, failed to notice the acrostic and began the third line erroneously with י instead of with נ. I take this opportunity of thanking Dr. Sonne for many other suggestions touching the paleography of the manuscripts here treated.



spite these differences, the fashioner of the London Haggadah, the Second New York Haggadah, and the Six Leaves picturing the Tabernacle is one and the same person? We have already mentioned the differences: the adding of illustrations and the



INITIAL WORD FROM A HAGGADAH IN LONDON, BRITISH MUSEUM, ADD. 14762

greater wealth of forms and colors in the manuscript at London. Careful scrutiny, at the same time, brings to light the resemblances. These, together with the essentially identical names, make it highly probable that the London Haggadah belongs to our group. Compare fol. 27a (reproduced on p. 90) with the London Haggadah fol. 31a (fig. 14). In both, we find letters ornamented with wavy bands which, rolling together, end up as snail shaped coils. Here, on the London page, we likewise meet with those phantastic animals and people filling the letters. We came upon these already in the Second New York Haggadah (reproduced on p. 88). Even more convincing is the recourse to that striking motif concerning which I am otherwise uninformed, the motif derived from Chinese textiles (see our illustrations). Here we have the same wavelike contours which look like blossoms cut in half, except that, in the London manuscript, the letters are, in addition, set on a decorated foil, an adornment



which the New York Haggadah lacks. In the London Haggadah, that same Chinese motif comes into play twice (again on fol. 32a). Here is even to be seen the bare parchment behind the initials.

The Second New York Haggadah and the Six Tabernacle Leaves originated in Italy. How is it with the London Haggadah in this regard? The script and the ritual of the London Haggadah are German<sup>30</sup> while, as regards its art forms, let me refer once more to the picture of the traveler (fig. 13). This youth in the short and pleated coat, broadening bell-fashion at the bottom, seems to have been copied from a picture of the early Italian renaissance.<sup>31</sup> At the same time, other scenes, such as that of the Five Rabbis at Bene Berak (fig. 12), suggest Germany. The short compact figures, grouped around the prayer desk like a welded mass, divulge a heaviness which reminds one of pictures by Lukas Moser, Konrad Witz, and Hans Multscher, German paintings which originated before the middle of the fifteenth century. The aforementioned tendrils, in the margin of the page with the Five Rabbis, have their parallel in a Jewish manuscript which originated, probably in the fifteenth century, in Southern Germany, a Haggadah of the University and State Library at Munich (Cod. Hebr. 200).<sup>32</sup> It further needs mention that the London Haggadah (fol. 4a) contains the picture of a hare chase. The equating of "Jagt den Has" with "Jaknhas," the mnemotechnique for the sequence of the benedictions to be recited when the evening of the Seder and the termination of the Sabbath coincide, is explicable only with reference to Ashkenazic Jewry.

From these considerations, there emerge two possibilities. The one is that the London Haggadah was produced in Italy but produced for an immigrant Ashkenazic Jew who, like so

<sup>30</sup> Margoliouth, *Catalogue*, l. c. pp. 203 ff., and A. Marx, in the *Jewish Quarterly Review*, N. S. XIX, 1928/29, pp. 7 ff.

<sup>31</sup> An entirely similar Italian costume is worn by the youth who holds the bitter herbs (fol. 22b).

<sup>32</sup> For example, in the case of the above mentioned man together with the woman whom he views as bitter herbs. Reproduction in *Encyclopaedia Judaica*, X, col. 87. Further reproductions of this manuscript, *ibid.* VI, col. 491. VII (on the article "Haggadah"), reproductions 8-10; IX, col. 438, and 1203/4.

many immigrants, held tenaciously to his ancestral customs. We shall, in that event, have to assume that the London Haggadah antedated the Second New York Haggadah. The artist of the London Haggadah is still, in many particulars, influenced by German forms, while the Second New York Haggadah contrives more definitely to speak the art language of Italy.

The second possibility is that the artist returned to Germany in later years and resumed his contact with the art of Germany, though the art of Italy continued in his recollection. From the colophon of the London Haggadah we have learned that it was designed for a "Jacob Mattathiah, son of R. S., a godly man." In 1459/60, a *Maḥzor* was ornamented in Ulm, Germany for a rabbi of this name.<sup>33</sup> To be sure, this Jacob Mattathiah is indicated in the Munich *Maḥzor* as the son of R. Isaac, while the London Haggadah speaks of him as a "Son of S." The "S," however, can be an abbreviation of "Sekel" and "Sekel" was, in Germany, a familiar variant of Isaac.

Be that as it may, this commingling of German elements and Italian elements in the London Haggadah increases the probability that it was produced by Joel, the son of Simeon, called Feibusch who, living abroad, expressly designates himself, in the Second New York Haggadah, as a German Jew. That second group consists accordingly of three manuscripts which, basing ourselves on the date of the New York Haggadah (1454), we have called "Group of about 1450."

#### IV. SIX MANUSCRIPTS, ONE ARTIST?

In that which has preceded, we have placed, alongside of the Washington Haggadah, five manuscripts and have divided these five into two groups. Are both groups the work of one and the same artist and is the artist of all of them or of any one of them the same as the artist who embellished the Washington Haggadah?

As regards the first of these questions, I formerly endorsed the view that the First Nuremberg Haggadah, the two New York

<sup>33</sup> Moritz Steinschneider, *Die hebraeischen Handschriften der K. Hof-und Staatsbibliothek in Muenchen*, second edition, Munich, 1895, p. 1.

Haggadahs, and the London Haggadah derive from the same hand.<sup>34</sup> In this I followed Michael Fooner who maintained that thesis in his previously mentioned essay on Joel ben Simeon. Today I seriously question the correctness of his assertion. There is no objection on grounds of chronology. Fifty years are a long stretch of time yet not too long for the activity of one and the same artist. It may be somewhat difficult to imagine a scrivener, born in Cologne, traversing the long distance to Bruenn in Moravia and then, on a farther journey, migrating to Italy. Still the possibility of such is not precluded.

So far as the colophons are concerned, the transcriber of the first group calls himself a scribe (*Sofer*) while the transcriber of the second group calls himself a scrivener (*Liblar*). Only the latter goes by the name of Phoebus. Still such changes of names and titles are not incredible.

But what do the respective groups show as to their art forms? Fooner laid special stress on the fact that three of the manuscripts exhibit the same technique, that of white on black; the white being the parchment, laid on a sepia foil. This technique, thinks Fooner, is limited to these three manuscripts. But I have observed that it occurs in other Ashkenazic manuscripts likewise; for instance, the so-called Castro Pentateuch of 1344 in the Sassoon Library at London;<sup>35</sup> the 1395 manuscript in the British Museum (Add. 19776; see our reproduction on p. 83); and the so-called Reuchlin Bible in the Library at Karlsruhe, Germany.<sup>36</sup> This technique obviously flourished in the 14th century, and gradually vanished in the 15th. In the two New York Haggadahs, it appears only once; from the London Haggadah it is entirely absent.

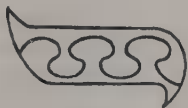
Fooner furthermore named, among the common characteristics, the "spiral chains of leaves," for filling the initials, or "such playful motifs as the faces in profile at the ends of letters, and little scrolls or heads twisted about the thin parts of the letters."

<sup>34</sup> In my articles in *HUCA*, XVI, 1941, pp. 353 ff. and XVIII, 1944, pp. 290 ff.

<sup>35</sup> *Descriptive Catalogue of the Hebrew and Samaritan Manuscripts in the Sassoon Library*, London, 1932, Vol. I, illust. 28.

<sup>36</sup> Reproduction in my *History of Jewish Art*, Cincinnati, 1946, p. 206.

But such motifs can be found also in manuscripts outside of our two groups. I might add that, in the First New York Haggadah (fol. 14b) and in the Second New York Haggadah (fol. 27a), initials are ornamented by means of parallel wave lines and that the First New York Haggadah (fol. 10a) and the Second New York Haggadah (fol. 29a) utilize a design which runs somewhat thus:



Nonetheless, the two manuscripts differ basically. In my earlier study, I voiced this impression in the words: "Yet the style of this Second New York Haggadah is by and large a different one," that is to say, com-

pared with the First New York Haggadah and the First Nuremberg Haggadah.

Of the London Haggadah, I knew none but the two pages lying open to view in the British Museum and the few reproductions in Italiener's publication of the Darmstadt Haggadah. Now that I have the entire manuscript before me in photostat, I see, with utter clarity, how it differs from the older group. The artist of the group "About 1400" is poor in ideas about adornment. His figures, — erroneously drawn to be sure — are charming because of his naive inventiveness. By contrast, the artist of the group "About 1450" is unusually rich in ideas of ornamentation, and he fashions this with elegantly directed lines. His knowledge of plants, animals, and people is notable. In the Exodus of the children of Israel from Egypt of the London Haggadah (fol. 14b and 15a), he even ventures to assemble a large aggregate of people in a procession.

It might be contended that the artist acquired all of those skills in Italy. In that country which had achieved a golden age of art, the illumination of Jewish manuscripts had attained a special eminence. To me it seems more probable that there were two artists whose names happened to be identical and who had in common the characteristic that both were Ashkenazim, with the result that they followed, in common, certain motifs.

Now our second question: How does the fashioner of the Washington Haggadah stand related to both of these groups? The Washington Haggadah originated in 1478, while we have

placed the date of the first group of manuscripts at about 1400. This is a stretch of time that exceeds the working years of any one person. There is a closer time nexus with group two which falls about 1450 and thus presents no objections on that score. Inasmuch as we found Italy to be the country in which the Washington Haggadah was prepared, we need only assume that the German artist, once arrived in Italy, never departed from that country.

Still I cannot bring myself to impute the Washington Haggadah to the designer of the group "About 1450." Already the colophons show differences. The fashioner of the Washington Haggadah calls himself a *Sofer*. In the group "About 1450," the artist carries the appellation *Liblar* (scrivener) or *Żayyar* (painter). The Washington Haggadah omits the added name, Phoebus, which appears in all of the manuscripts of the group "About 1450."

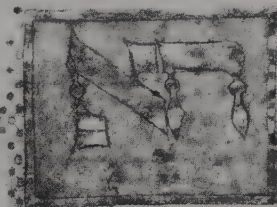
Certain analogies are to be noted in the respective repertoires of forms. Both the Washington Haggadah and the London Haggadah picture a vase out of which there rises a clipped treelet, both tree and vase flanked by birds (figs. 1 and 14). But, in the Washington Haggadah, the proportions create a certain plumpness, while those of the London Haggadah yield lightness and elegance. The traveler in this Haggadah (fig. 13) parallels the traveler in the Washington Haggadah (fig. 3). Still the two figures appreciably differ in style. Countenance, coat, and limbs of the traveler in the London Haggadah are shown in slant, which enables us to perceive the figure as if it were in actual motion. In the Washington Haggadah, the traveler is pushed completely into profile, his coat stiff as a cask and his lance borne in a stunted right arm.

Likewise affected by a certain stiffness are, in the Washington Haggadah, the four sons (fig. 2). To this is added a clumsy distribution. The wicked son, at the right, gives the effect of being shoved downward while, on the opposite side, the simple son and the son who knows not how to ask questions are too closely squeezed together.

Neither artist contents himself with single figures. But the groups in the Washington Haggadah lack the finish achieved by



This image shows a fragment of a manuscript from the Cairo Geniza. The page contains several lines of Hebrew text written in a medieval script. In the upper right corner, there is a large, rectangular illustration that is heavily faded and stained. The illustration appears to depict a figure, possibly a saint or a prophet, seated or standing, with some architectural elements around them. The overall condition of the manuscript is poor, with significant staining, fading, and some missing pieces of parchment or paper.



A series of five horizontal strips showing the progression of a handwritten letter 'a' from a simple stroke to a complex, stylized form.



1

החל

*[Faint, illegible markings]*

*[Faint, illegible markings]*

7



וְהָיָה כִּי יִשְׁמַע ה' אֶת-קוֹל יִשְׂרָאֵל  
 בְּהַעֲבֹד אֶת-יְהוָה אֱלֹהֵיהֶם  
 וְהָיָה כִּי יִשְׁמַע ה' אֶת-קוֹל יִשְׂרָאֵל  
 בְּהַעֲבֹד אֶת-יְהוָה אֱלֹהֵיהֶם

ה'תש"ח  
ה'תש"ח

1. *Chlorophyll*  
 2. *Chlorophyll*

*[Faint, illegible markings]*

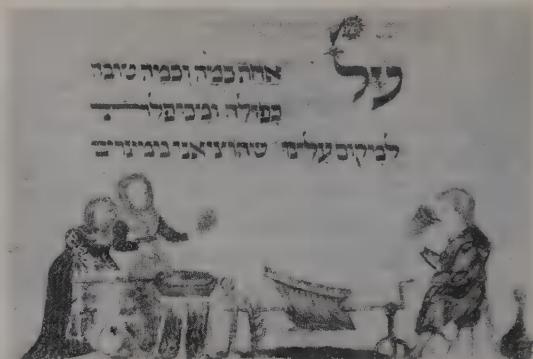
העבודות האלה יושב  
לפניהם אלהים יתברך  
המבורך כבודו ואלה הדברים







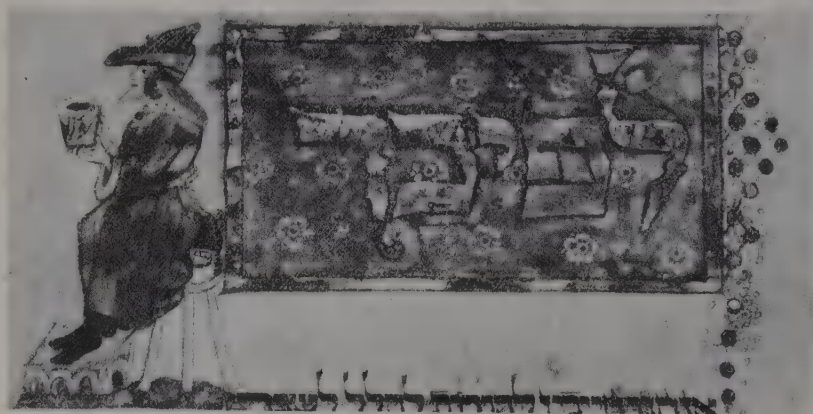
3.



4. WASHINGTON HAGGADAH, (left): fol. 7b,  
(above): 14b, (below, left): 15b,  
(below, right): 16a



5.



7. WASHINGTON HAGGADAH, fol. 17a



8.

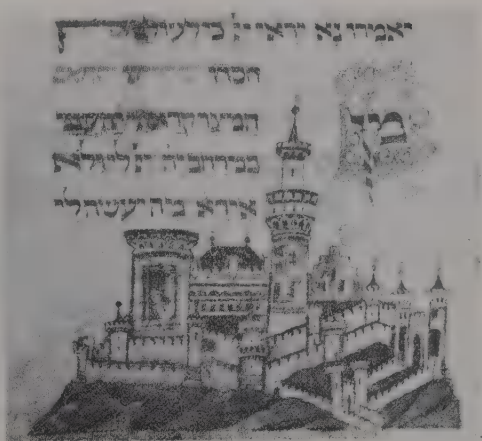


9.



11.

PARMA, COD. DE ROSSI, No. 111

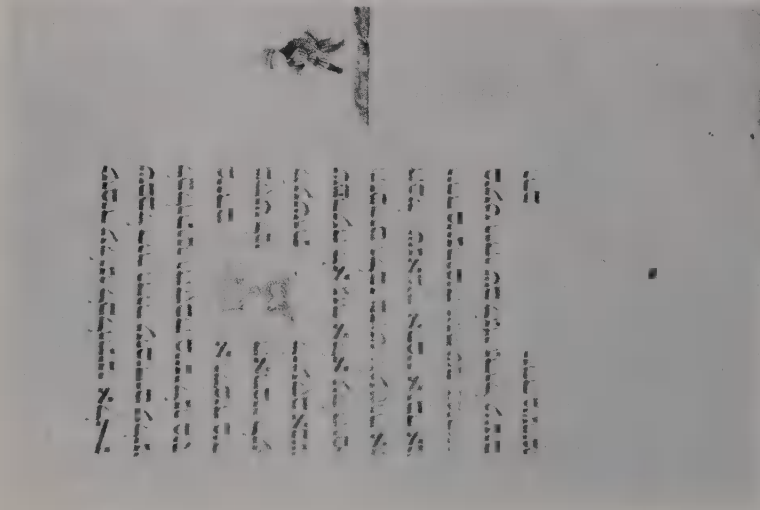


10.

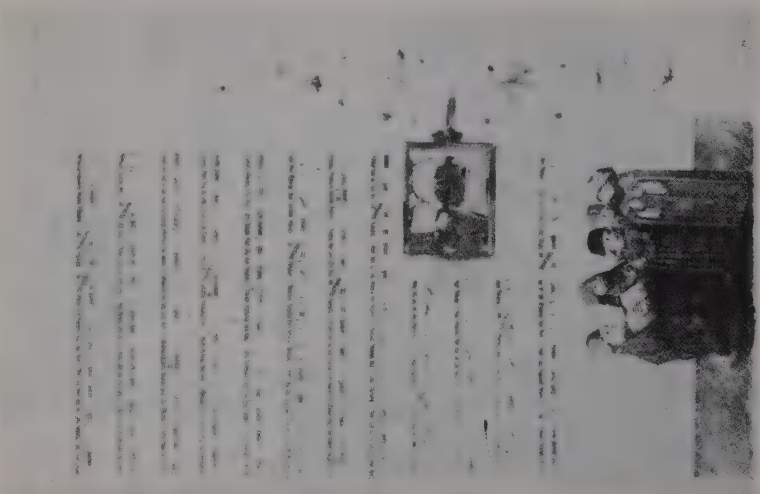
WASHINGTON HAGGADAH,  
(top): fol. 19b, (middle, left):  
fol. 30a, (bottom): fol. 22a



14. fol. 31a



13. fol. 11b  
LONDON HAGGADAH, British Museum, Add. 19776



12. fol. 7b

the fashioner of the London Haggadah. The woman whom her husband indicates as he mentions bitter herbs (fig. 6) is far too small by comparison with her spouse. In the kitchen scene (fig. 4), and in that of the advent of Elijah (fig. 8), the figures are placed against one another on the same plane; the sketcher does not know how to produce a third dimension. By contrast the designer of the London Haggadah can venture to combine the Five Rabbis of Bene Beraḥ in a roomy group (fig. 12). In the scene of the Seder meal (fol. 6a), the designer of the London Haggadah puts the participants around a circular table. In the scene representing the Exodus of the Children of Israel which extends across two pages (fol. 14b, 15a), he succeeds in representing, with amazing skill, entire crowds of people. Hordes of men, women, and children follow Moses, the leader; while behind them, on horses and wagons, approach the Egyptians.

The decorations of the London Haggadah exhibit a rich plenitude of forms filling the initials, ornamenting the foils and brightening the margins with ever novel motifs (fig. 14). In the Washington Haggadah all of the initials are colored with the same gold. On all of its foils appears the same motif, namely that of rosettes.

One might object, again, at this point. One might maintain that the Washington Haggadah, being the artist's late product, gives evidence of waning capability. But an illuminator who commands the resources of the London Haggadah does not lose that ability in old age even though his later output betray deterioration of workmanship.

The resemblances just mentioned are then to be explained as the result of identical influences operating on both artists. For instance, a vase with a clipped treelet flanked by two birds may have been a favorite motif in the Italian miniature painting practiced by Christians. Independently of one another, both artists could have seen this and could have imitated the same models.

Bold as is the supposition that we have here three different artists with essentially identical names, something may be said by way of explanation. First that the material here treated reaches from the end of the fourteenth century to the last quarter

of the fifteenth century, a lapse of barely a hundred years. In the second place this material envisages not only Ashkenazic areas but also Italian areas, that is to say two countries in which the art of illumination had come to flower and had enlisted numerous talents. Finally, it is a Jewish custom for the name of the grandfather to recur in the grandson. The Joel son of Simeon who worked in Bruenn — or more likely his son — may have fled to Italy when it became necessary to forsake Bruenn in the year 1454.<sup>37</sup> Possibly that son also was a penman; occupations, in those days, being handed down in the family. Consequently it may have been the grandson named after his grandfather who produced the Washington Haggadah.

We ask in conclusion: Are there any further manuscripts of the artist who made the Washington Haggadah? Up to the present, we do not know of any signed by his name, dating from his time, and embodying his style. An anonymous Haggadah in the Library at Parma (Cod. Ross. 111) reveals some close relationship with the Washington Haggadah. This manuscript contains the same slender figures and the same costumes characterizing the early Italian renaissance. Especially to be compared is the man with the bitter herbs (fig. 11) and the man who, in the Washington Haggadah, raises the goblet (fig. 7). It is the same hat, the same profile, the same pointed beard, the same fur covering the man's back, and the same fur-bordered sleeves. But, in the Parma manuscript, the strokes are executed with greater surety and greater elegance; hence my hesitation to assign that manuscript to the designer of the Washington Haggadah.

<sup>37</sup> By contrast, the illuminator of the group "About 1450" must have been in Italy before 1454. In the former Royal Library at Turin, Cod. 24 consists of a *Mahzor* transcribed in Cremona 1452/53 and having, at one place, the name Joel ben Simeon and, at another, the name, Phoebus of Bonn. Both inscriptions probably refer to the same copyist giving his birthplace as Bonn instead of Cologne. He may have been born somewhere between the two cities. The Parma Library, Cod. Ross. 1274, contains a further manuscript of this copyist dated 1448/49, but this manuscript may have been prepared while the copyist was still in Germany. Regrettably it proved impossible, despite much effort, to obtain from these libraries any reproductions or any information.



Carlo Bernheimer who has treated the Parma Haggadah<sup>38</sup> thinks of its illuminator as an Italian Christian, owing to the fact that its system of forms resembles those of Italian art. From the costumes, he infers a Venetian. As I view it, the similarity of a style to that of a given milieu does not prove the artist indigenous to that milieu while, particularly as to manuscripts, why the circuitous path of seeking, for a Hebrew text transcribed by a Jew, a non-Jewish illuminator, when there were on hand plenty of Jews capable of such an undertaking?

It was certainly a Jew who ornamented the Parma Haggadah, and the attire pictured in the Parma Haggadah hints at the place where the designer of the Washington Haggadah likewise had his abode. That artist lived in Northern Italy, either in Venice or on the adjacent mainland which was under Venetian rule. His patron was an Italian; the artist himself was Italian. Was he of Italian descent or was he the offspring of Ashkenazic immigrants? That is the question which we have to leave unanswered.

<sup>38</sup> Cf. Carlo Bernheimer, *Paleografia Ebraica*, Florence 1924., pp. 353-355 and plates 27-29.





# SOLOMON MAIMON'S TREATMENT OF THE PROBLEM OF ANTINOMIES AND ITS RELATION TO MAIMONIDES.

SAMUEL ATLAS, Hebrew Union College

## I.

SOLOMON Maimon was one of the most important Kantians in the period immediately following the appearance of Kant's *Critique of Pure Reason*. His influence on the development of Kantianism, and especially on Fichte, one of the three stars in the metaphysical firmament of the post-Kantian period, is beyond any doubt.<sup>1</sup> It is of great interest to trace Maimon's relation to Jewish thought and especially to that of Maimonides and thus to establish an influence of Maimonides through the medium of Maimon on the period of speculative metaphysics following that of Kant.

The admiration which Maimon cherished for Maimonides' personality he manifested by the very fact of adopting his name.<sup>2</sup> Through the study of Maimonides' *Guide for the Perplexed* Maimon became acquainted in his early youth with the philo-

<sup>1</sup> Cf. Emil Lask, *Fichtes Idealismus und die Geschichte*, Tübingen und Leipzig, 1902, pp. 116, 121 ff., 131; Willy Kabitz, *Studien zur Entwicklung der Fichteschen Wissenschaftslehre aus der Kantischen Philosophie*, Berlin, 1902, p. 78; Friedrich Kuntze, *Die Philosophie Salomon Maimons*, 1912, pp. 307, 325 ff., 347 ff.; Ernst Cassirer, *Das Erkenntnisproblem*, III, Berlin, 1923, p. 16 ff.; Richard Kroner, *Von Kant bis Hegel*, I, pp. 326 ff., 497; M. Guérout, *La Philosophie Transcendentale de Solomon Maimon*, Paris, 1929, pp. 71 ff., 141 ff., and in his work *L'évolution et la structure de la Doctrine de la Science chez Fichte*, Paris, 1930, p. 110 ff.; Hugo Bergmann, *שלמה מיימון וי. ג. פייכטה*, in *הפילוסופיה של שלמה מיימון*, London, 1932, p. 85; also Hugo Bergmann, *הפילוסופיה של שלמה מיימון*, Jerusalem, 1932, p. 149 f.

<sup>2</sup> Maimon writes in his *Lebensgeschichte*, Berlin, 1792, II, p. 3: "My respect for this great man (Maimonides) was so great that I considered him to have been the ideal man and his teachings to have been inspired by the Divine wisdom itself," etc.

sophical problems about faith and reason. The study of Maimonides' works was for Maimon, as it were, a school of philosophical education from which he acquired a deep interest in philosophy as such and a method of philosophical thinking. The works of Maimonides thus awakened in Maimon, as in Spinoza, Mendelssohn and others, the philosophical Eros which spurred him on to greater achievements in the field of philosophical investigation. Moreover, Maimon retained throughout his life his interest in Maimonides' writings. Even at the time when he was preoccupied with philosophical problems of a different order, his interest in Maimonides did not slacken. Apart from an exposition of Maimonides' philosophy in his autobiography as well as a Hebrew commentary on the *Guide* under the name of *Givath Hamoreh*, both written after his great work *Versuch über die Transzendentalphilosophie* in 1790, which, due to the recognition of Kant, placed him in the arena of philosophical thought,<sup>3</sup> Maimon in addition dedicated a number of essays to the treatment of various aspects of Maimonides' philosophy, as, for instance, 1) Probe Rabbinischer Philosophie;<sup>4</sup> 2) Über die Theodicee;<sup>5</sup> 3) Über das Vorhersehungsvermögen.<sup>6</sup>

Under the circumstances, it is quite natural to expect an influence of Maimonides on Maimon's own thought. Maimon belongs to a different period in the development of philosophical thought and to a totally different philosophical climate; his philosophical interests revolve around a different axis than that of Maimonides. And yet many aspects of his thought can be

<sup>3</sup> Cf. Kant's letter to Markus Herz, *Kants Werke*, ed. Cassirer, vol. 9, p. 415.

<sup>4</sup> This article appeared in *Berliner Monatsschrift*, 1889, vol. XIV, p. 171. It contains an interpretation of a passage in Maimonides in the spirit of Kant's *Critique*. This article appeared also in Hebrew in *המאסף*, תקמ"ט, p. 131, under the signature of *שלמה בן יהושע ממדינת ליטא*. Cf. my essay *לחורת ההכרה של הרמב"ם* in *כתבי המכון לחכמת ישראל בורשה*, III, 2, p. 15, where I dealt with this article of Maimon.

<sup>5</sup> Appeared in *Deutsche Monatsschrift*, Berlin, 1791, vol. III, p. 190. This article contains a presentation of Maimonides' conception of the problem of theodicy, with some remarks of Maimon.

<sup>6</sup> *Ibid.*, vol. II, p. 45. This article contains a translation of a section of the *Guide* of Maimonides, with some notes of Maimon.

traced to the influence of Maimonides. In his philosophy of language and in practical philosophy, ethics, Maimonides' influence is particularly manifest. My purpose here, however, is to confine myself to Maimon's treatment of the problem of antinomies, to his interpretation and criticism of Maimonides and to the tracing of his relationship to the latter in his criticism of Kant's approach to this problem, as well as in his own solution of it.

Maimon defined his own system of thought as a *coalition-system*<sup>7</sup> in which elements of Spinoza, Hume, Leibniz and Kant constitute integral parts. The fact that in this connection he does not also mention Maimonides should not mislead us to the assumption that Maimon is not aware of the connection of his thought with that of Maimonides, for in another context Maimon speaks of the different periods of his development and recognizes the influence which Maimonides exerted on the shaping of his thought.<sup>8</sup> He speaks of three periods in the development of his thought corresponding to three phases in his life during which he stood under the spell of three philosophers. Maimon calls these phases revolutionary periods, for they provoked in him a sudden and violent change of thought. From Maimonides he learned to distinguish between literal and figurative forms of speech in accordance with which those passages in the Bible which are incompatible with a rational concept of God must be interpreted figuratively. This caused in his mind a whole revolution inasmuch as through this method which aimed at establishing harmony between reason and faith, reason gained the primacy and was freed from the fetters of faith. Reason could now stride forward undisturbed and faith could become more rational. This revolution thus occurred in the realm of religious thought. Of the pre-Kantian philosophers, the first whom Maimon had the occasion to study was Christian Wolff. He learned from him the formal, logical distinction between confused and

<sup>7</sup> *Lebensgeschichte*, Berlin, 1792, II, p. 253.

<sup>8</sup> See "Solomon Maimon's Geschichte seiner philosophischen Autorschaft in Dialogen, aus seinen hinterlassenen Papieren." *Neues Museum der Philosophie und Literatur*, herausgegeben von Friedrich Bouterwek, 1804, Teil I, p. 137.

clear and distinct concepts. This kindled a new light, stirred up his mind, and provoked an urge to re-define, according to the new requirements, the whole stock of concepts he had gathered.

And, finally, from Kant he learned to distinguish between mere formal and real thought. The former is governed by the laws of logic, the law of identity and that of contradiction, while the reality of objects cannot be determined by it. The distinction between formal thought and real thought became a cornerstone of the whole structure of Maimon's system. As a result of this distinction Maimon came to regard the realm of real thought, i. e. thought of real objects, as confined to objects the conditions for the possible construction of which are clearly defined, that is to say, only mathematical objects; but with reference to the principle of causality as applied to given natural objects, it can be doubted, with Hume, whether it is real or perhaps the result of a psychological association of ideas. Herein lie the roots of Maimon's skepticism as well as the basis of his metaphysics.

Maimon is a skeptic in the sense that he follows Hume in maintaining that experience can give us only relative certainty. According to Maimon, Kant did not succeed in refuting Hume. If one maintains, with Hume, that causality is the result of a psychological association of ideas, the critical philosopher is powerless to disprove it. In other words, the question *quid facti?* has not been satisfactorily solved by Kant. In this sense Maimon is an empiricist skeptic. But for the purpose of experience comparative certainty is sufficient. If, however, one is not satisfied with relative certainty and searches for absolute certainty, for concepts which are universally and generally valid, it is necessary to assume the idea of an infinite reason in relation to which the synthetical propositions in which our scientific laws concerning the phenomena of the world are expressed are convertible into analytical ones. Our synthetical propositions with reference to experience which grant us merely comparative certainty are in truth analytical propositions, even though we may not be able to perform the transformation of all synthetical propositions into analytical ones. In relation to the infinite mind, however, there are only analytical propositions. In this sense Maimon is a rational dogmatist.

In the course of this study we have set ourselves the task first, of presenting Maimon's conception of Maimonides' treatment of the problem of creation, which is for Kant and Maimon an antimony of human reason; then that of presenting Maimon's criticism of Kant's treatment of the antinomies, in which we shall trace the connection of Maimon's thought with that of Maimonides; and, finally, that of presenting Maimon's own conception of the antinomies, especially that of creation.

## II.

In his exposition of the philosophy of Maimonides, Maimon presents Maimonides' arguments against the Aristotelean proofs for the non-creation of the world. These proofs are based on the process of becoming as experienced in nature, which is always the coming into existence out of some previous reality. Now Maimonides admits that all becoming in the world is not a becoming out of nothing, but it is wrong to conclude from the process of becoming exemplified in nature as to the origin of the world as a whole. The creation of the world *ex nihilo* cannot be refuted on the basis of our knowledge of nature, i. e. of experience, in which there can be no coming into existence from absolute non-existence, since the origin of the world is beyond the limits of given nature and transcends the sphere of experiential knowledge.<sup>9</sup> Maimon then renders Maimonides' additional thought thus: "Should Aristotle or his followers argue against us, writes Maimonides, since we hold that the properties of the universe as it exists at present prove nothing as regards its creation, how could you prove the creation of the world out of nothing? To this our answer is, this is not our intention at all. We desire merely to show that this problem cannot be solved on the basis of natural experience. The creation of the world out of nothing is at least problematically possible; this is what we intend to prove."<sup>10</sup> The basis for this thought is in the *Guide*, II, 17, where Maimonides clearly says that *now* his intention is not to prove

<sup>9</sup> Maimon's *Lebensgeschichte*, II, p. 94 ff.

<sup>10</sup> *Ibid.*, p. 97 f.



creation, but merely to demonstrate its possibility; later on, however, he will proceed to prove creation.<sup>11</sup> But Maimon ignores the word עתה, *now*, which he does not render at all; and then he translates the phrase אפשרות היותו מחודש not as the possibility of its creation (i. e. of the world) but that creation is problematically possible.

The tendency of Maimon's presentation of Maimonides' thought is revealed by Maimon's following remark: "The thinking reader who is acquainted with modern philosophy will recognize some similarity between Maimonides' arguments against Aristotle and Kant's refutation of dogmatic philosophy. Kant proves that the dogmatic philosophers are not entitled to argue from the nature of the world as a phenomenon to the nature of the world as a thing-in-itself. In the same manner Maimonides argues that Aristotle is not entitled to conclude from the nature of the world as it is in actual existence as to the nature of the origin of the world as a whole."<sup>12</sup> Maimon thus interpreted Maimonides' arguments against the Aristotelians in the spirit of the critical philosophy of Kant, that the problem of the creation of the world is an antinomy, that is to say, it cannot in principle be solved on the basis of arguments derived from the experience of the process of becoming in the world.

There was a time when I understood Maimonides' arguments against the Aristotelians in a manner similar to that of Maimon without knowing of Maimon's interpretation of Maimonides.<sup>13</sup> On further consideration, however, one must reflect that a whole

<sup>11</sup> Cf. מורה נבוכים, II, 17: 'במה ידעתם שזה מהות וכו' ואם יטעון עלינו אריסטו וכו' נאמר שזה לא יתחייב לנו לפי מחשבתנו, שאנחנו לא נשחדל עתה שנקיים שהעולם מחודש, אבל אשר נשחדל בו הוא אפשרות היותו מחודש, ולא תבטל זאת הטענה בהביא ראיה מטבע המציאות אשר לא נחלוק בו וכו'.

<sup>12</sup> *Lebensgeschichte*, II, p. 98.

<sup>13</sup> Cf. my essay "The Philosophy of Maimonides and its Systematic Place in the History of Philosophy," in *Philosophy, The Journal of the British Institute of Philosophy*, 1936, p. 64: "In this problem of *creatio ex nihilo*, Maimonides followed a course similar to the critical method of Kant. He does not try to prove the creation of the world in opposition to Aristotle. He tries only to disprove the eternity of the world. He has transferred the problem of *creatio ex nihilo* from the sphere of theoretical knowledge to the sphere of faith, of practical ethics," etc.

world divides the arguments of Maimonides from the Kantian method. For while Maimonides merely tries to show that a given set of arguments for non-creation is not conclusive, the critical method of Kant points out the impossibility in principle of concluding from the natural phenomena as appearances as to the nature of the world as a thing-in-itself. Whereas Maimonides' refutation of the Aristotelian proofs is merely a factual one, i. e. that the existing proofs are not conclusive, the Kantian refutation of metaphysics is, on the other hand, systematically based on the principle that metaphysical problems, such as creation or the existence of God, cannot be solved by means of logic the validity of which is confined to the realm of experience. In other words, the antinomies, one of which is the problem of creation, are a manifestation of the fundamental limitation of human reason. Maimonides in his criticism of the Aristotelian arguments for non-creation in no wise reached the heights of critical thought. The similarity between Kant and Maimonides is thus merely apparent and misleading.

In this connection it is of interest to note Maimon's fundamental distinction between different kinds of skepticism. There are two kinds of skepticism, writes Maimon, one negative and the other positive.<sup>14</sup> The first arises when two opposing views lack cogent and conclusive proofs. The second arises, however, when the two opposing propositions have equally valid arguments in their favor. The first implies mere ignorance in reference to the material of the proposition; the second is the result of an equilibrium between the two opposing views, as the case is, for instance, with the antinomies of pure reason, where the thesis and the antithesis have equally valid arguments. In the spirit of this distinction of Maimon, when applied to the problem of creation, it would seem that Maimonides' treatment of the arguments against creation leads to a skepticism of the first kind, i. e. a negative skepticism, while the result of Kant's treatment of the problem is a positive skepticism. This distinction follows from the consideration that Maimonides, in trying to show the inconclusiveness of the arguments for non-creation, merely refers

<sup>14</sup> *Philosophisches Wörterbuch*, Berlin, 1791, p. 217.

to a matter of fact, while the Kantian position is rather that metaphysical problems concerning the thing-in-itself cannot, in principle, be solved by means of reason, which is the very definition of antinomy. The distinction between the two kinds of skepticism amounts, as it were, to a difference between contingent and necessary truth. Whereas Maimonides' refutation of the Aristotelian arguments leads to a negative skepticism and to a contingent, factual truth, the Kantian conception of the problem of creation as an antinomy involves a positive skepticism and a necessary truth.

Maimon, however, seems to have understood Maimonides as not merely rejecting a certain group of arguments, but as proving that, in principle, it is impossible to establish the eternity of the world on the basis of becoming as experienced in existing nature, and thus treats it as an antinomy. Maimon seems to have overlooked the fundamental difference between them.

There is, however, another passage in the *Guide* in which Maimonides comes nearer to the conception of the problem of creation as an antinomy. Maimonides was critical of the *Kalam*, which tried to prove the existence of God on the basis of the creation of the world. He rejected its method of making the thesis of the creation of the world the premise from which to derive the existence of God as the creator. Maimonides writes: "For it is well known to all clear and correct thinkers who do not wish to deceive themselves that this question, namely, whether the universe was created or is eternal, cannot be answered with absolute certainty; here human intellect must pause." The thesis of the creation of the world should not therefore be taken as a necessary premise for proving the existence of God. Maimon, in his commentary to the *Guide*, I, 71, remarks on the phrase מעמד שכלי in the *Guide* (*Stillstand des Verstandes*), מפני שמירת קצת דעות (*Wegen Vorurteile*).<sup>15</sup> The expression *Stillstand des Verstandes* would seem to imply that Maimon here intends to emphasize the impossibility in principle of attaining a final solution to the metaphysical problem of creation, i. e. whether the world has beginning in time or has existed eternally. On the other

<sup>15</sup> גבעה המורה, ed. Berlin, תקנא, p. 74b.

hand, the expression *Wegen Vorurteile*, because of prejudices, would seem rather to imply that the cause for not having found a solution of this metaphysical problem is historically conditioned. It is because of certain prejudices which are as a matter of fact historically given that man was unable to solve this problem. Or perhaps the prejudices to which Maimon here refers are to be understood in a more fundamental and basic sense. Not merely the historically given prejudices of men at a certain period in the development of human thought are meant, but the prejudices inherent in man as such in view of the fact that his thought in general is related to experience by its very constitution, and therefore it is in principle impossible for man to transcend the limits of experience. Maimon leaves us in the dark as to his exact meaning. However, from Maimon's remark on Maimonides' theory of creation we learn that he interpreted Maimonides in the critical spirit, i. e. that the metaphysical problem of creation cannot in principle be solved because of the limitations inherent in the human reason and because of the impossibility for the human mind to transcend the realm of experience.

Moreover, in his autobiography,<sup>16</sup> Maimon renders Maimonides' thought in the sense that the problem of creation *cannot* be decided one way or the other by means of rational proofs. Maimon then quotes in support of Maimonides the Kantian distinction between the world as appearance and the world as a thing-in-itself. With regard to the latter, creation as well as non-creation can equally be proved, and the problem is, therefore, an antinomy.

On the basis of the following considerations, however, it is legitimate to interpret Maimonides in the critical sense that the problem of creation is an antinomy and not merely a statement of a historical fact that up till now the problem of creation has not been solved. The expression Maimonides employs with reference to the problem of creation, that it is a *מעמד שכלי* (in Arabic: *מוקף עקל*), seems to imply that creation is a problem at which our reason has reached its limits. In the original Arabic the

<sup>16</sup> II, p. 88.

phrase runs as follows: **לא יוצל אליהא בברהאן קטעי ואנרה מוקף עקל**. The verb **יוצל** in the Arabic is an imperfect passive of I. Ibn Tibbon, however, translates it with the imperfect active **לא יניעו אליה**. In the Ibn Tibbon translation of the phrase the implication is definitely contained that a solution of this problem cannot be reached: Ibn Tibbon thus caught the right spirit of the original by translating it in this way. For if Maimonides had wanted merely to convey that no solution of the problem of creation has been found, he would have used a perfect active instead of an imperfect passive. And then the expression **מוקף עקל** in Ibn Tibbon's translation as **מעמד שכלי** implies also that the human intellect must stop at this point, i. e. that no definite solution of this problem can be found.<sup>17</sup>

On the other hand, however, Maimonides continues to argue how preposterous the method of the *Kalam* is by referring to the fact that for thousands of years philosophers have argued whether the world is created or has existed eternally and have not reached a final and decisive solution of this problem. The state of the problem is thus the result or the manifestation of the historical fact that no solution of this problem has been finally established. If this is the correct meaning of the phrase **מעמד שכלי**, it is still not an antinomy in the Kantian sense, the very essence of which consists of the argument that our thought and logic have validity only with reference to objects of experience, but metaphysical problems, such as the creation of the world or the existence of a Supreme Being, which are beyond the realm of experience, cannot in principle be solved by means of logic.

However, taking into consideration the Scholastic spirit of Maimonides, for which the concept of the progress of human thought was unknown, any problem which has not been solved till now will never be solved. The very essence of Scholasticism consists of the investigation of the literary sources of the great minds of the past on the assumption that the human mind has, as it were, exhausted itself. No fundamentally new truths can be discovered. The only purpose of philosophical investigation consists of understanding and expounding the truths presented

<sup>17</sup> Cf. Munk's translation, vol. I, p. 347; also that of Friedländer, p. 111.

by the great minds of the past who have exhausted the realm of truth. The investigation of who said what and when seems to be the hallmark of Scholasticism. Therefore a problem which has not been solved till now, for which I would suggest the designation of a historical antinomy, gains the dignity of a fundamental and systematic antinomy, inasmuch as a problem which has not been solved by the great minds of the past has little chance, if any, of being solved in the future. Even assuming that Maimonides' intention is merely to establish an historical antinomy on the basis of the historical situation of the problem, in view of the Scholastic spirit of his thought, an historical antinomy gains the validity and dignity of a systematic and fundamental antinomy. Maimon was thus correct in interpreting Maimonides' refutation of the Aristotelian arguments in the spirit of the Kantian concept of antinomies.

Maimonides was not satisfied with a mere refutation of the Aristotelian arguments, but produced an argument of his own for the creation of the world from the heavenly bodies. If the existence of the world, Maimonides argues, is to be fully explained on the basis of natural and necessary laws, as the Aristotelians maintain, the order of all phenomena will have to be deduced from these necessary and permanent laws. But while the phenomena of the sublunary world are sufficiently explained according to the laws of cause and effect, the movement of the heavenly bodies, the difference of their velocity and direction, cannot be logically derived from these laws. We must, therefore, assume that all superlunar phenomena are the result of design rather than of necessity and of permanent laws of nature. Without our assuming the existence of design, it is impossible to find a sufficient cause determining the number of stars and their respective spheres, the various distances between them, and their individual motions. According to the theory of creation, however, all these can easily be explained. For we say that there is a Supreme Being who determines the direction and velocity of each sphere and has endowed each of them with its peculiar properties.<sup>18</sup>

<sup>18</sup> מורה נבוכים, II, 19.



Maimon adduces this proof of Maimonides and adds the following modifying remark: "With this Maimonides intended to weaken the Aristotelian conception of the necessity and eternity of the world."<sup>19</sup> Thus Maimon held that Maimonides did not consider it a definite proof but merely an attempt to weaken the Aristotelian arguments. Maimon then offers the following objection: "I must note here that Maimonides' objection to the opinion of Aristotle is based on a fallacy. The world may be finite or infinite in point of time, i. e. it may have a beginning in time or not. In any event, all phenomena as the result of the highest wisdom must be explainable on the basis of the law of sufficient reason. This is a requirement of reason. How far we can go with the process of rationalization is quite irrelevant. What Maimonides considered as inexplicable according to the state of astronomy of his time may well be explained on the basis of the new discoveries and especially in agreement with the natural system of Newton. The concept of the highest order of law in the constitution of the world is a necessary idea of reason which, in the application of our understanding with regard to the objects of experience, we can constantly and steadily approach, but never fully attain. For there will always remain phenomena which we will not be in a position to deduce rationally, even though we have to assume that the phenomena are subject to the general laws prevailing in nature . . . Even in the system of Newton there are gaps. For there are unsolved problems which cannot be explained according to the laws of general attraction. They suggest, therefore, the necessity of discovering natural laws of a higher order and of greater generality to which the unexplained phenomena as well as the laws of attraction are subordinated and thus a greater unity established. But it is illegitimate on the basis of the *argumentum ad ignorantiam* to argue either for or against the creation of the world."<sup>20</sup>

In order to appreciate the validity of Maimon's criticism of Maimonides, it is proper to illustrate, by some example from

<sup>19</sup> *Lebensgeschichte*, II, p. 98.

<sup>20</sup> *Ibid.*, p. 103 ff. The translation is mine.

the history of science, the role which an exception to a natural law may play in contributing to the discovery of new scientific phenomena. Whenever an exception from a natural law is encountered, it may turn out to be not a real but an apparent exception, an illusion. The following example, famous in the history of science, will sufficiently illustrate the point. The astronomer Bessel doubted the validity of the Newtonian law of gravitation because of the observed irregularity of the course of Uranus. It was then discovered that these irregularities are due to another planet (Neptune), the existence of which was unknown previously.

The astronomer Leverrier deduced the existence of Neptune, prior to the discovery of its existence through direct observation, on the basis of the Newtonian law of gravitation and the irregularities of the course followed by Uranus. Thus the observed "irregularities" of the path of Uranus not only did not refute the law of gravitation but, contrariwise, proved to be a confirmation of the law of gravitation, with the help of which the existence of another planet was deduced and the right explanation of the "irregular" course of Uranus was discovered. Thus when we encounter exceptions to a natural law, when we experience phenomena which cannot be explained according to the natural laws known to us, the problem always arises as to how they are to be interpreted, for what appears at first as an exception to the law may in the course of time prove to be a confirmation of the law or a stimulus for the discovery of new laws.

By the finite, limited mind no exception may be considered final, but must be treated as a mere problem. Therefore no exception to a natural law as conceived by man should be treated as a proof for the existence of design in nature and for the creation of the world by God. Only to an infinite mind which encompasses infinity could there, in principle, be real exceptions to the law. But, on the other hand, an infinite mind may be in possession of a system of natural laws by which all phenomena without any exception are explained. Moreover, the very idea of an infinite mind implies an absolute and ideal reason in relation to which there is absolute identity of thought and reality, and all reality is deducible from its thought. It is therefore not

permissible to assume exceptions to the laws conceived by the infinite mind. Even though real exceptions to the law are in principle possible in relation only to an unlimited mind which embraces infinity, the very idea of an infinite mind, out of whose thought all reality is deducible, does not permit of the assumption of the reality of exceptions. It is self-contradictory to assume the reality of exceptions to the laws conceived by the infinite mind. In relation to a restricted, finite mind, however, all exceptions to the law should not be taken as definite and real, but must be treated merely as problematical tasks posed by reality for further investigation. Thus Maimon's criticism of Maimonides' argument for creation is bound up with his critical concept of the world as an endless task and with his fundamental distinction between a finite and infinite reason.

This fundamental distinction, which occupies such a pivotal place in Maimon's system of thought, can be interpreted in a methodical and critical sense. The idea of an infinite reason as introduced by Maimon can be understood not as a dogmatic assumption of a reality existing in itself, but as an idea, a method by which the limitations of the finite, limited human mind are brought into relief. Just as the Kantian concept of an *intellectus archetypus* does not imply a positive and dogmatic assertion of the reality of such an intellect, but is merely an idea introduced for the purpose of describing the limitations of the human mind, so Maimon's idea of an infinite reason is to be interpreted.

The concept of an infinite mind implies the idea of an absolute unity of thought and reality; it is the ideal of the absolute solution of all problems toward which our limited human mind steadily and continuously strives.<sup>21</sup> Thus the idea of an infinite reason is for Maimon closely connected with his concept of the thing-in-itself. The thing-in-itself is not an *ens realis*, an existing entity, but a mere idea of absolute unity of thought and reality, a goal which our human, limited mind constantly strives to approach.

Maimon introduced the idea of an infinite mind out of episte-

<sup>21</sup> As Maimon points out: The world in its totality as the result of the highest wisdom must be explainable according to the law of sufficient reason." *Lebensgeschichte*, II, p. 103.

mological considerations which are beyond the scope of the present essay. In the present context it is of interest merely to note the bearing of the distinction between a finite and infinite reason on the problem of antinomies in general and on the method of interpretation of an exception to natural law. According to Maimon, it is not permissible, on the basis of phenomena which cannot be explained in accordance with the existing system of natural laws, to conclude as to the existence of design in the universe, and consequently of the creation of the 'cosmos. Since the limited, human mind is always in the middle of the road in its striving for unity, phenomena which cannot be deduced from natural law should be considered solely as tasks and as stimuli for further investigation.

Maimon's criticism of Maimonides' proof for the creation of the world corresponds to his conception of miracle and to his criticism of dogmatic theology which is based on miracles. "Inasmuch as revealed religion is based on miracles," Maimon writes, "its validity can be doubted. For even though the fact of miracles as such may be verified and are not subject to doubt, yet it is not excluded that they may be explained by natural laws unknown to us. A miracle is a phenomenon which cannot be explained by natural law as known to us, but since our knowledge of nature and of its laws is limited, we are not entitled to declare an occurrence to be a miracle, for it is possible that at a later date a law will be discovered by which the occurrence will be explained."<sup>22</sup>

Thus a phenomenon which we are unable fully to explain we are entitled merely to declare a problem for our limited, finite mind. Only an infinite mind to which all laws, present, past and future, are known, could declare an extraordinary occurrence a miracle. Just as a miraculous occurrence should be considered merely as a problem, so a natural phenomenon which cannot be deduced from the present system of natural laws should not be taken as a proof for the existence of design but rather as a problem for further investigation.

For Maimonides, however, as is the case with all scholastics

<sup>22</sup> *Philosophisches Wörterbuch*, p. 218.

for whom the system of laws prevailing in nature and known by us has the character of finality, an exemption from the natural law is not apparent and temporary but real and final. Therefore on the basis of such inexplicable phenomena we are entitled to assume the existence of design and the creation of the world by a Supreme Being who has for some purpose endowed the individual heavenly bodies with their singular and particular characteristics. Thus Maimonides' proof for creation as well as Maimon's criticism are to be viewed in the light of their general outlook and as integral parts of their respective systems of thought.

### III.

The antinomies of Kant are: creation and non-creation of the world; the existence and non-existence of a simple substance; freedom and absolute causality; the existence and non-existence of an absolutely necessary being. Whenever we not only employ principles of understanding for the purpose of comprehending objects of experience, but venture to extend these principles beyond the realm of experience, we involve ourselves in a dialectical difficulty that both the positive assertion and its negation can neither be definitely confirmed nor refuted either by experience or by rational methods. The positive assertion in the realm of metaphysics (thesis) is free from contradiction, and one may find a rational basis for its necessity in the very nature of reason, but its negation (antithesis) can equally be maintained and proved on grounds just as valid and convincing. The positive assertions concerning metaphysical objects, such as the creation of the world, the existence of simple substance, freedom and God (the theses) are, according to Kant, transcendental ideas and the results of a process of thought which posits an absolute, unconditional principle for the conditional judgment. The idea of the world as a whole expresses the full and complete series of the conditions of a given phenomenon. In each particular phenomenon a conditioned magnitude, a conditioned matter and a conditioned effect and dependent reality are given. Therefore the cosmological idea demands the complete series of the conditions of a particular given phenomenon. Since there are various kinds

of logical propositions, categorical, hypothetical and disjunctive, it follows that there are necessarily corresponding ideas which are categories embracing totality: absolute subject, absolute cause and totality of the world. In the forms of logical conclusions lies the root of the antinomies, i. e. the conflict of reason with itself.

Maimon extended the sphere of ideas and the scope of antinomies and thus demonstrated that they require a much more general solution than that offered by Kant. Antinomies are to be found, according to Maimon, not only in metaphysics but also in physics as well as in mathematics. This fact proves that the antinomies are not merely the result of certain logical forms of judgment, but they express rather an inherent quality of human thought as such. This consists in that our reason can be considered under two aspects, as an absolute reason, not limited by sensibility and its laws, and as our own limited and restricted understanding, subject to the laws governing sensibility.

The theory of infinity in mathematics as well as the infinite objects in physics necessarily involve us in antinomies. The complete series of all natural numbers is not an object of intuition and perception, but merely an idea through which the continuous progress into infinity is considered as an object. We involve ourselves in a conflict by considering something as an object which could never be such. The solution of this antinomy consists in the following: We can not possibly produce an infinite series except through an infinite succession in time, for our perception is bound up with the form of time. And since an infinite succession in time could never be fully completed, an infinite series could never be produced as an object. An infinite reason, however, which is not restricted by forms of sensibility could conceive a concept of an infinite series at one stroke without a process extended in time. What is, thus, for understanding in its restricted, limited form a mere idea is for the absolute reason a real object.<sup>23</sup> We have here a striking illustration of Maimon's

<sup>23</sup> Cf. *Versuch über die Transzendentalphilosophie*, p. 228: "Daher ist das, was der Verstand seiner Einschränkung nach, als blosse Idee betrachtet, seiner absoluten Existenz nach ein reelles Objekt." Here the expression "seiner absoluten Existenz nach" must, I believe, refer to the infinite mind of which the human mind is a part.



concept of the infinite reason as an explanation of the thinking process of man. Our thinking can be considered under the aspect of an absolute, unlimited reason due to the fact that it is a part of the infinite mind. And just as in relation to the infinitesimals and in reference to the problem of *quid juris* the idea of the infinite reason explains the process of human thought and its relation to real objects,<sup>24</sup> the problem of antinomies, too, is solved by Maimon with the help of the idea of an infinite, absolute mind of which the human mind is a part.

The idea of an infinite reason which plays such an eminent role in Maimon's philosophy can be traced to the influence of Maimonides. In the *Guide*, I. 1., Maimonides interprets the Hebrew term *Zelem* (image, form) in the Biblical passage "In the image of God created He him" (Gen. 1.27) as referring to the intellectual capacity of man, which consists of the ability to conceive the universal forms of reality. Now Maimonides' interpretation of the Biblical passage is valid only when we assume that the human intellect (finite) and the Divine Intellect (infinite) are of the same nature and differ only in degree. Maimon felt this, and accordingly interprets Maimonides in his commentary<sup>25</sup> in the following manner: there are two distinct modes of thought, one is a process from *a priori* to *a posteriori*, and the other is a process from *a posteriori* to *a priori*. This distinction is valid only with regard to a finite reason, such as the human intellect, for which the existing objects are given and are not the result of its own thought, i. e. the concepts revolve around the real objects.

<sup>24</sup> Cf. *ibid.*, pp. 27 ff., 64 ff. and נבעת המורה, end of the preface of the introduction.

<sup>25</sup> ואולם ראוי שתבוננו כי זה ההבדל בין דרך ההשגה: נבעת המורה, ed. Berlin, p. 9b: מהקודם אל המאוחר או מהמאוחר אל הקודם הוא נאות בבחינת השגת שכל בעל תכלית לבד, להיות מציאות הדברים בלתי נמשכת אחר השגתו, אבל בהיפוך ר"ל השגתו נמשכת אחר מציאות הדברים בפעל. אבל בבחינת השגת השכל הבלתי בעל תכלית ישובו שניהם לדבר אחד, מצד היות מציאות הדברים נמשכים לעולם אחר השגתו. והנה הוא מבואר כי כל שכל אי אפשר שישיג זולת עצמו וכו', ולזה אי אפשר שישיג עצם נמצא בפעל חוצה לו, אם לא שיהיה העצם הנזכר ג"כ שכל, ושיוברל ממנו במדרגת ההשכלה לבד, רצוני לומר שהשכל בלתי בעל תכלית אפשר שיצייר שכל נמצא בפעל חוצה לו בהיותו מצייר עצמו בדרך מוגבל, וכן השכל הבעל תכלית אפשר שיצייר מציאות שכל בלתי בעל תכלית בהיותו מצייר עצמו בשלילת הגבול. ואולם להיות הכמות בלתי נכנס בגדר העצם, הנה לזה יהיה עצם השכל הבלתי בעל תכלית והבעל התכלית אחד בעינו ולא יוכלו זה מזה כי אם במדרגה. וזה הוא באור ענין בצלם אלהים עשה את האדם וכו'.

But with regard to the infinite reason, the distinction between these two processes of thought has no meaning, as there can be no objects given to it; the real objects must be the product of its thought. Consequently, the thinking of infinite reason can be only *a priori*.

Now an intellect can conceive itself or the universals which constitute the essence of reality, but it cannot comprehend existents inasmuch as they are not rational. The infinite reason can thus conceive of a limited intellect by imagining itself in a finite manner, i. e. by a process of limitation with regard to its own infinite reason it arrives at a finite reason. Likewise a finite reason can imagine infinite reason by a process of the negation of its own limitations. "Finite reason and the infinite reason are thus of the same kind, they differ only in degree. This is the real meaning of the Biblical passage according to Maimonides: 'In the image of God created He him.' "

The very fact that Maimon introduces the concept of infinite reason in his commentary on that chapter of the *Guide* which deals with the relationship of human and divine reason seems to indicate that he was conscious of the affinity of his and Maimonides' thought, and that, while he was reinterpreting Maimonides in accordance with his own purposes, Maimonides in turn had influenced him in this conception.

But to return to our original exposition, Maimon writes that the human mind is in a position either to substitute objects for ideas or, conversely, to dissolve objects into ideas. This is the case with reference to convergent series. We are in a position to find their exact numerical value; and definite numbers can, on the other hand, be converted into an infinite series.<sup>26</sup>

There are ideas, however, which continuously approach the objects but can never reach them, and therefore the objects can never be substituted for the ideas. This is the case with the irrational roots. Through infinite series (according to the binomial theorem) we are able to approach the objects, but their definite value can never be found. We have here an antinomy, since reason, on the one hand, prescribes a rule by which definite

<sup>26</sup> *Versuch über die Transzendentalphilosophie*, p. 227 ff.

numbers must be found, and, on the other, proves the impossibility of accomplishing the task. These are examples of antinomies in mathematics.<sup>27</sup>

In addition to the mathematical antinomies, we encounter antinomies in physics; especially the concept of motion leads to a conflict of reason with itself. This antinomy arises as a result of relativity of motion. The motion of a body is the change of its place in relation to another body in space. This relation between objects is a mere subjective idea which should not be attributed to the objects as such. Consequently, motion which concerns the relation between objects should not be attributed to one object more than to another. In order that this subjective idea of the relation between objects obtain objective validity, we must ascribe to the object *a* another motion, apart from the change of its relation to the object *b* which is reciprocal. We maintain that the object *a* is in motion and not *b*, because *a* has changed its relation not only in regard to *b* but also in regard to *c*, while *b* has changed its relation only with regard to *a* and not with reference to *c*. But since the relation between *a* and *c* is in its turn also reciprocal, we are not entitled to ascribe the motion to the object *a* more than to the object *c*, and the relational subjective character of motion has not been eliminated by introducing the third object *c*, but merely shifted from *a b* to *a c*. We will have to introduce another body *d* in relation to which only *a* changes its place and not *c*, and so *ad infinitum*. We are thus unable to ascribe motion to an object *a* without thinking of its relation to an infinity of objects which is impossible to accomplish. Yet reason demands (for the purpose of experience) the assumption of absolute motion. We have here an antinomy; we unjustifiably ascribe absolute motion to an object while it is a mere subjective, relational concept.

Another antinomy is the idea of the actual existence of the infinitely small. When a wheel revolves around its axis, all its parts move at one and the same time. We can imagine the wheel as consisting of an infinite number of circles. The nearer a circle is to its center, the slower is its motion, since it covers less space

<sup>27</sup> *Ibid.*

than do the wider circles. It follows that there is in nature as an actual reality an infinitely small motion, a motion which is *omni dabili minor*. We have here an antinomy, inasmuch as an infinitely small motion must be thought of as a reality, while it cannot be thought of as an object of experience. Maimon then deals with a problem of motion of a circle. It will suffice for us here merely to refer to his conclusion, namely, that we must assume the reality of the infinitely small magnitude, not merely as a mathematical infinity, i. e. the possibility of division *ad infinitum*, but as an actually existing infinity, as the constitutive elements of finite magnitudes. Here arises an antinomy, for on the one hand reason demands that the process of division of a definite magnitude never be stopped, so that we can never arrive at an infinitely small element, but on the other hand, there are cases in which we must assume the reality of such an element.

It follows from all the examples cited that the infinite, in relation to our capacity of producing it, is a mere idea. Nonetheless, the infinite is to a certain extent an actual reality. These antinomies require a solution just as much as the Kantian antinomies, and they cannot be solved by the Kantian method. For Kant's solution refers to antinomies restricted to the metaphysical realm and would not apply to the antinomies in the realm of physics. By positing the idea of an infinite reason, Maimon claims the superiority of his approach to the problem of antinomies. He conceives of our capacity of comprehension as having two aspects: a limited, restricted understanding which is bound by the laws of sensibility, and a reason sharing in an unlimited absolute reason that it is capable of conceiving objects beyond the realm of sensibility and the laws to which it is subject, and of transforming relational subjective concepts into absolute concepts, as in the case of absolute motion. Thus Maimon's solution to the problem of antinomies is closely connected with his concept of an infinite reason of which the human reason is a part and in which he was influenced by Maimonides.

It is of great interest to note that in another connection<sup>28</sup>

<sup>28</sup> Cf. S. Maimons *Streifereien im Gebiete der Philosophie*, Berlin, 1793, p. 226 f.; also *Anfangsgründe der Newtonischen Philosophie von Dr. Pemberton*, Berlin, 1793, *Vorrede* von S. Maimon.

Maimon speaks of absolute motion as of a fiction of the human imagination, and the same applies to the concept of infinity, while here Maimon proves on the basis of these concepts the antinomial character of human thinking.

This proves, to my mind, that Maimon understood by fiction not a conscious falsehood but ideas of thought which are the product of the imagination. In the fictions as well as in the ideas is manifest the infinite character of human thought and imagination,<sup>29</sup> for human thought is capable of transcending by means of these concepts the realm of sensibility. This is also in agreement with the very origin of the term fiction, which is derived from the Latin *fin*go, *facere*, meaning to make, create, produce. It is evident that Maimon understood by the concept fiction something totally different from what Vaihinger understood it to mean.<sup>30</sup> The latter, who made this concept a cornerstone of his philosophy, understands by fiction a conscious falsehood, for only that which is empirically possible is true. An idea which is beyond the realm of experience and of sensibility is false and therefore a fiction, according to Vaihinger, while for Maimon fiction is the vehicle by which the human mind transcends the realm of empirical sensuous experience. In this act of the imagination is manifest the infinite, absolute aspect of human thought as sharing in the infinite, absolute mind. Fiction is thus not a falsehood, as Vaihinger assumes, but a manifestation of a higher kind of truth, a truth transcending the empirical realm of sensibility and its laws.

Maimon's treatment of the problem of antinomies in his "*Kritische Untersuchungen über den menschlichen Geist*"<sup>31</sup> must be interpreted in the same way, namely, that the antinomies are the result of different aspects of human thinking. Therefore he deals with the transcendental antinomies not as a separate phe-

<sup>29</sup> As a matter of fact, Maimon defines the metaphysical ideas as fictions. See, for instance, *Streifereien im Gebiete der Philosophie*, p. 30; *Versuch einer neuen Logik*, p. 206.

<sup>30</sup> Cf. Hans Vaihinger, *Die Philosophie des Als-Ob*, 1st edition 1911, *passim*.

<sup>31</sup> *Kritische Untersuchungen über den menschlichen Geist, oder das höhere Erkenntnis- und Willensvermögen*, Leipzig, 1797, p. 221 ff.

nomenon but in close connection with the mathematical antinomies, for in both of them is manifest the same characteristic of the human mind. The thesis and the antithesis have their root in a different emphasis: while the first emphasizes the actual cognition of an object, the second emphasizes the mere process of thinkability of an object. The thesis is bound up with sensibility and its laws, and the antithesis is the result of the imaginative faculty of the human mind which is capable of transcending the realm of sensibility. Herein lies the reason of Maimon's parallel treatment of the transcendental antinomies with the mathematical antinomies.

As the forms of intuition, i. e. space and time are the basis of mathematics, Maimon prefaces the problem of antinomies in general with the observation that time and space as intuitions, as dealt with by the mathematicians, can be obtained only through a process of thinking *ad infinitum*. Time and space, as concepts of succession and the discreteness of objects, cannot be conceived in themselves but are bound up with the perceived objects.

The idea (*Vorstellung*) of space, according to Maimon, presupposes sensuous variety and diversity. Space is not a quality inherent in things themselves, as Kant has conclusively proved against the dogmatic philosophers, nor is it a transcendental form of intuition of external objects, as Kant proposes. Space is rather, according to Maimon, the abstract form of the variety and heterogeneity of the external objects. We cannot, by virtue of the constitution of our mind, imagine sensuous objects as different from us and from each other without imagining them at the same time in space beyond us and beyond each other. Space is, therefore, originally the form of the variety of external objects. Only by an illusion of the imagination is space regarded as a transcendental form of the external objects as such. By a certain mode of operation of the imagination, ideas which were originally related to certain objects are abstracted from them and imagined separately. Thus the idea of space, which is originally a form of variety of sensuous objects, is abstracted from the perception of objects and conceived as an entity in itself.<sup>32</sup>

<sup>32</sup> *Ibid.*, cf. also *Streifereien* etc., p. 261 ff.



The same applies to the idea of time. Time is not a form of internal intuition, as Kant proposes, but only the form of heterogeneous internal intuitions following one after another. Whenever the ideas in our consciousness are not heterogeneous, there can be no conception of succession in time. As space is the form of the variety of sensuous objects which are apart from each other, time is the form of the variety of perceptions following one after another. Time and space are thus forms of heterogeneity and variety of objects; and, therefore, they are the conditions of the possibility of a comparison between sensuous objects, i. e. of logical propositions concerning their relation to one another.

The mathematicians, however, who think of time and space as divisible and capable of being extended *ad infinitum*, deal with the forms of space and time as produced by the imagination which conceives these forms as entities in themselves, not as relational concepts bound up with the perceived objects. They thus presuppose time and space as consisting of infinite series of simple elements, i. e. mathematical points.

The transcendental antinomies which are placed parallel to the mathematical ones are dealt with by Maimon after the mathematical antinomies.<sup>33</sup> There are four mathematical antinomies. The first concerns the problem of whether a given number or magnitude presupposes an element, a unit, as the beginning of its synthesis or not. The thesis maintains: every given number or magnitude presupposes a simple element, a unit, as the beginning of its synthesis, for every given number or magnitude is nothing but an aggregation of such units. The former cannot exist without the latter. The antithesis says: every given number or magnitude has no beginning of its synthesis but can be divided as well as increased endlessly. Since every number can be increased as well as decreased endlessly, every given unit is subject to the process of further increase or decrease.

The solution of this antinomy consists in the following: the term "unit" is used in the thesis and in the antithesis in two totally different meanings. In the antithesis we are speaking of an arbitrarily taken unit which could be recognized as a magnitude

<sup>33</sup> See *Kritische Untersuchungen*, pp. 223-230.

in intuition, while the thesis speaks of an absolute unit which could not be recognized in intuition but merely thought as a concept.

The same applies to the second antinomy which concerns the problem of divisibility. The thesis maintains that through the process of division of a given magnitude we arrive at a magnitude which is smaller than any other given magnitude. The antithesis argues that each given magnitude consists in turn of smaller magnitudes which could similarly be divided. It is, therefore, impossible through the process of division to arrive at a final magnitude. Here, too, the solution of the antinomy lies in the different meanings of the term "magnitude" as used in the thesis and in the antithesis. The thesis understands magnitude in an absolute sense (as *omni dabili minus*) which can only be thought of but not given as an object of intuition. The antithesis, however, speaks of magnitude as an object of cognition and intuition, (i. e. as *quovis dato minus*) and therefore no final magnitude could be obtained. We can think of the smallest magnitude but not construe it in intuition, for every magnitude as construed by our intuition could still be subject to further division.

The third antinomy deals with the problem of the greatest number. The thesis says: in the series of possible numbers which begins with one and increases by one, there can be no greatest number. Assuming that  $N$  is the greatest of all possible numbers, we can still add to it some of the others, or all of them, so that the sum total will be greater than  $N$ . Therefore  $N$  could not be the greatest of all possible numbers. The antithesis maintains: in the series of all possible numbers there must be one which is the greatest. For let us assume there is no greatest number; then it will be possible to find a greater number than any given number. There must, therefore, be a number which is greater than a given  $N$ , and since  $N$  stands for any possible given number, there must be a number which is the greatest. Here, too, the solution is to be found in the distinction between the "given" and the "thought." Any number which can be construed cannot be the greatest; the greatest number can only be thought. In other words, the antithesis speaks of the construction of the

greatest possible number as *quovis dato majus*, which could never be attained. The greatest number as a concept could only be thought of as *omni dabili majus*.

The fourth antinomy concerns the concept of a curved line. The thesis maintains that a curved line as an object of geometry cannot consist of indivisible parts or points. The antithesis proves the opposite, namely, that a curved line consists of points. The solution of this antinomy lies in the same distinction between the "given" and the "thought." A curved line is only as a geometrical place an object of geometry. For the construction of this object only a number of points is definitely given. The other points are merely "thought" and added for the purpose of making this object a single whole which the concept of a geometrical place presupposes.

Just as the mathematical antinomies are introduced by Maimon for the purpose of granting to the problem of antinomies a larger scope, so he introduces two transcendental antinomies of his own for the same purpose.

The thesis of the first antinomy maintains: succession of phenomena one upon the other presupposes the concept of time, and their being apart from one another presupposes the concept of space. Since succession means nothing but the conception of the phenomena occurring at different points in time, and being apart from one another means the conception of the objects being at different places in space, time and space must, therefore, be presupposed. The antithesis maintains the opposite: time and space presuppose succession and being apart from one another respectively. Time and space are *quanta*, inasmuch as they imply a manifold of similar parts. This manifold of similar parts it is possible to conceive only as being at different points in time and at different places in space, consequently time and space presuppose succession and discreteness.

The second antinomy concerns the concept of a line. The thesis maintains: the concept of line presupposes the idea of space. Since a line is space determined through a concept, line and space are in the relation of determination and determinable, and the determination presupposes the determinable. The antithesis maintains the opposite: the idea of space presupposes the

concept of line. For if space were the determinable, it would be more general than line as its determination. The features of space must then also be attributed to a line. The fact, however, is that to space, not to a line, are attributed three dimensions.

The solution of the transcendental antinomies lies in the following: succession of objects and their discreteness could be directly perceived with the objects. Time and space, however, as a continuous and infinite whole could be imagined indirectly only by imagining a continuity and endlessness of objects. Thus, the transcendental antinomies have their root, just as the mathematical antinomies, in the distinction between empirical knowledge and thought. Space and time as mere ideas of thought are the conditions of the possible discreteness of objects as well as their succession one after another, and as such they are taken in the thesis. The thinkability of time and space is presupposed in the conception of objects. Time and space, however, as directly conceived and recognized objects of cognition are conditioned by the discreteness of the objects; they are cognizable only through and with the objects, as the antithesis maintains.

This solution of the problem of antinomies applies equally to the mathematical antinomies of Kant,<sup>34</sup> of which Maimon quotes as an example only the first. The world has a beginning in time and is limited in space, says the thesis. Here space and time are understood as objects of cognition. The world has a beginning in time means: the series of the past successive situations of the world and consequently also the past time which is recognizable through these situations are finite. This proposition, however, is not quite correct. Rather, it should be said: the world has a beginning *with* time, not *in* time, for "in time" implies time prior to the world, but time as such abstract from the object is not an object of cognition.

Here, too, Maimon follows Maimonides, who speaks of time as an accident of motion. Maimonides writes: "Time also belongs to the created things . . . Therefore in the proposition: God was

<sup>34</sup> Kant designates the first two antinomies as mathematical in distinction of the last two as dynamical. While the mathematical transcendental ideas synthesize the homogeneous, the dynamical may connect the heterogeneous. Cf. *Critique of Pure Reason. The Transcendental Dialectic*, Book II.



treatment of the problem of antinomies in his *Wörterbuch* and the manner in which he deals with the same problem in other works. The two functions of imagination, the function of apprehension and that of association, correspond actually to the distinction between the "given" and the "thought," between empirical experience and mere thinking, or between cognition and thinking. While the faculty of apprehension encompasses the realm of experience, the faculty of association is capable of transcending the sphere of empirical knowledge and of embracing the realm of thought. Through the function of association the human mind applies the categories of understanding to mere objects of thought. The function of apprehension which is applied only to objects of possible experience corresponds to the aspect of the human mind as limited by the bounds of sensibility; the function of association corresponds to the aspects of the human mind as a part of the infinite reason. Both faculties, that of apprehension and that of association, are thus a manifestation of the two aspects of human thought, as a limited, restricted understanding bound by the limits prescribed by the laws of sensibility, and as a part of the infinite reason, not subject to the laws governing the sensuous world.

In his *Logic*<sup>37</sup> Maimon subjected the arguments of Kantian dialectics to a detailed analysis and criticism. Since Kant ascribes to reason the conception of the totality of the application of the forms of understanding, reason is led into a conflict with itself. But surely, objects Maimon, it must be an unreasonable (*unvernünftige*) reason if it can become involved in a conflict with itself.

The first antinomy of Kant is: the thesis maintains that the world has a beginning in time and is also limited as regards space. "If we assume that the world has no beginning in time, then up to every given moment an eternity has elapsed, and there has passed away in the world an infinite series of successive states of things. Now the infinity of a series consists in the fact that it can never be completed through successive synthesis. It thus follows that it is impossible for an infinite world-series to have

<sup>37</sup> *Versuch einer neuen Logik*, Berlin, 1794, p. 200 ff.



passed away, and that a beginning of the world is therefore a necessary condition of the world's existence."<sup>38</sup>

Maimon's objection to this argument is that Kant here employs the ambiguous terms "elapsed" (*abgelaufen*) and "passed away" (*verflossen*) without clearly defining their exact meaning. "Elapsed" and "passed away" do not have the same connotation as the past; their relation to one another is that of the species to the genus. The past merely implies direction of time which could be indirectly perceived in intuition as distinct from the opposite direction in the future, and from the present, which is the connective link of the two opposite directions, the past and the future. We distinguish the past from the present and from the future, without considering it a definite magnitude. While the term "past" implies only direction, the expression "passed away" implies a definite magnitude. When we say that time has "passed away," we mean to imply not only the direction, but that a definite and distinct amount of time has passed which must have a beginning and an end. Thus, when we assume that the world has no beginning in time (thesis), we are not entitled to state that up to any particular point in time an eternity has "elapsed" and "passed away," since the passing away of time implies a definite amount of time which must have a beginning. Kant thus substitutes for a concept of direction a concept of quantity. Further, Kant says that the infinity of a series consists in that it can never be completed through successive synthesis. But how could we begin such a successive synthesis in order to demonstrate that it could never be completed? We could not start it from the beginning of the world, since we assume now that the world has no beginning. We must therefore start this successive synthesis from the present and proceed backward into the past. We will find then that we cannot complete it, which is the view of the opponent of the thesis. And by what have we disproved it? And if we project the past time into the future and proceed to make the successive synthesis from the present point of time continue into the future, we could never complete it, which proves rather the antithesis, that the world has no beginning.

<sup>38</sup> See *Critique of Pure Reason*, Engl. translation, Smith, p. 397.

Furthermore, Kant presupposes in the concept of an infinite series the concept of an infinite time and vice versa. The concept of an infinite series consists in that it can never be completed through a successive synthesis. This "never" could mean nothing but that the successive synthesis could not be completed in a finite but only in an infinite time.<sup>39</sup>

The antithesis maintains that the world has no beginning, etc. For let us assume that it has a beginning. Since the beginning is an existence which is preceded by a time in which the thing is not, there must have been a preceding time in which the world was not, i. e. an empty time. Now, the coming to be of a thing is impossible in an empty time, because no part of such a time possesses, as compared with any other, a distinguishing condition of existence rather than of non-existence; and this applies whether the thing is supposed to arise of itself or through some other cause. In the world many series of things can, indeed, begin; but the world itself cannot have a beginning and is therefore infinite in relation to past time.<sup>40</sup>

Here Maimon objects to Kant's definition of the term "beginning" as the starting of existence prior to which an empty time preceded in which the thing (world) was not in existence. This definition is arbitrary and too narrow, since it does not fit the beginning of time and all that begins simultaneously with time. Kant in his argument assumes that time is infinite. Maimon, however, considers time as bound up with reality as a form of succession. Empty time as such has no reality but is the result of an act of the transcendent capacity of the imagination. Before the existence of the world there was no time either. The expression "before" as designating a temporal determination does not in our case actually refer to a reality of time but to an imaginary idea, such as  $\sqrt{-a}$  in algebra.

<sup>39</sup> The same critique of the arguments of the thesis was made by a modern thinker, Bertrand Russell. Russell writes: "When Kant says that an infinite series can 'never' be completed by successive synthesis, all that he has even conceivably a right to say is that it cannot be completed in a finite time. Thus what he really proves is, at most, that, if the world has no beginning, it must have existed for an infinite time." B. Russell, *Our Knowledge of the External World*, p. 171.

<sup>40</sup> *Critique of Pure Reason*, *ibid.*

Herein Maimon follows Maimonides, who adopted the Aristotelian concept of time as an accident of motion, and therefore emphasizes the impossibility of applying the concept eternity to the existence of God. Eternity is a temporal determination, and as such it can apply only to objects subject to motion. Of God we can say only that he is timeless or supra-temporal, but not that he is eternal. Therefore the term "first" (ראשון) applied to God belongs to the negative attributes and implies merely a denial of causality. Although Maimon does not follow Maimonides in the particular concept of time as an accident of motion, for Maimon, too, time is bound up with objects, since it is the form of succession of objects following one after another.<sup>41</sup>

Beginning of existence is therefore, according to Maimon, to be defined not as an existence prior to which an empty time has passed but rather quite independent of the notion of empty time, as a point in time which is the last in the synthesis proceeding backward from any given point of time of the existence of an object, so that by forming a synthesis of the past and all its situations from any given point of time of the existence of the world we shall arrive at a point at which this synthesis will be completed.

In the second antinomy, the thesis maintains that every composite substance in the world is made up of simple parts and that nothing anywhere exists save the simple or what is composed of the simple. The antithesis asserts the opposite: no composite thing is made up of simple parts, and there nowhere exists in the world anything simple. "Assume that a composite thing (as substance) is made up of simple parts. Since all external relation, and therefore all composition of substances, is possible only in space, a space must be made up of as many parts as are contained in the composite which occupies it. Space, however, is not made up of simple parts, but of spaces. Every part of the composite must therefore occupy a space. But the absolutely first parts of every composite are simple. The simple therefore occupies a space. Now since everything real, which occupies a space, contains in itself a manifold of constituents external to one another,

<sup>41</sup> Cf. above, note 35.

and is therefore composite; and since a real composite is not made up of accidents (for accidents could not exist outside one another, in the absence of substance) but of substances, it follows that the simple would be a composite of substances, which is self-contradictory."<sup>42</sup>

Now Maimon maintains that we are justified in stating merely that the existence of the absolutely simple cannot be deduced from experience and that the absolutely simple is a mere idea, the objective reality of which can never be presented in any possible experience. The antithesis implies, however, that since an absolutely simple object can never be given in any possible experience and the realm of perception and intuitions constitutes the totality of all possible experience, there can be nowhere a composite made up of simple parts. This part of the antithesis maintains much more than we are entitled to, for we cannot infer from the factual unawareness of such an object as to its impossibility. For while the first part of the antithesis merely states that no composite object of experience is made up of simple parts and the simple cannot be presented in intuition, the second part of the antithesis goes much further in stating that nowhere in the world does anything simple exist. This should have been deduced not from the concept of a given object in intuition, i. e. the composite as a matter of experience, but on the basis of its relation to any object of possible experience in general.

The whole antithesis is rooted in the concept of space as an infinite continuum, as the imagination conceives it. According to Maimon, however, space is not the form of intuition and sensibility, as Kant teaches, but rather the form of the discreteness and variety of sensibility. Therefore, the objects which fill space may consist of simple elements which correspond to the simple parts of extension, and the simple parts of space correspond to the simple elements of the objects occupying it. Since the parts of space correspond to the simple elements in which there is no variety and discreteness, the parts of space are not necessarily spaces, as Kant maintains.

<sup>42</sup> *Critique of Pure Reason*, Engl. translation, Smith, p. 403.

The first part of the antithesis that no composite is made up of simple parts is thus also not conclusively proved. The argument of the antithesis is bound up with the Kantian concept of space as a form of intuition, but it has no validity on the basis of another concept of space such as that of Maimon.

The space of the mathematicians is an endless continuum as the transcendent faculty of the imagination conceives it. Mathematics is not concerned with the question of the origin of the idea of space. This is the task of transcendental philosophy, which is not concerned with space as such but the relation of space to the objects occupying it. Space in the transcendental sense is the form of variety and discreteness of sensibility, and therefore it is not an endless continuum, for there is discreteness in matter, not in an endless continuum. There will be as many parts of space as various perceived parts of matter occupying it. Space as a continuum is the result of the function of the capacity of imagination. Since space is the form of discreteness of sensibility, the parts of matter which are indiscrete in their perception are not in space. The imagination, however, fills out the gaps of space by placing the similar parts of matter in some relation to other heterogeneous and discrete material objects and thus imagines them in space. The imagination can always find the occasion and opportunity for such relations and can imagine every point of space filled with matter which stands in various relations to other parts of matter. Thus arises the idea of space as an endless continuum.

To the third antinomy Maimon remarks merely that the proof of the thesis is based on the necessary idea of totality which is for Kant an idea of reason, while in his view it is an idea of the transcendent capacity of the imagination.<sup>43</sup>

The fourth antinomy is concerned with the idea of a necessary being. Maimon observes, in regard to the argument of the thesis, that the proof of the existence of a necessary cause in general is again based on the idea of totality, which is for him not an idea of reason but an idea of the transcendent imaginative capacity.<sup>44</sup> As to the proof that this necessary cause is immanent,

<sup>43</sup> Cf. below, chap. V.

<sup>44</sup> See *ibid.*

not transcendent, i. e. that the necessary cause belongs to the sensible world, Maimon maintains that it is predicated upon the Kantian concept of beginning, by which Kant understands an existence before which a time has preceded, in which a thing that begins its existence did not yet exist. For the proof of the thesis runs as follows: "For if it [the necessary cause] existed outside the world, the series of alterations in the world would derive its beginning from a necessary cause which would not itself belong to the sensible world. This, however, is impossible. For since the beginning of a series in time can be determined only by that which precedes it in time, the highest condition of the beginning of a series of changes must exist in the time when the series as yet was not (for a beginning is an existence preceded by a time in which the thing that begins did not yet exist). Accordingly the causality of the necessary cause of alterations, and therefore the cause itself, must belong to time and so to appearance — time being possible only as the form of appearance."<sup>45</sup> Maimon, however, understands by the concept of beginning the end of the synthesis of the imagined existence of an object, starting from any given point of time and proceeding backwards. According to this concept of beginning, the proof of the thesis loses its logical validity.

To the antithesis Maimon offers fundamental criticism. The antithesis maintains that it is a contradiction to suppose that the series of alterations in the world is contingent and conditioned in all its parts, and yet, as a whole, has no beginning and is absolutely necessary and unconditioned. Maimon, however, does not see any contradiction in the assumption that the series of the phenomena of the world as a whole is unconditioned and necessary, while its parts are conditioned and contingent. We have examples of this kind of a manifold in which the parts are separately conditioned, while the whole as a collective is not necessary. A three-sided figure, for instance, is in itself not necessary, nor is a three-angled figure necessary. Both together, however, are necessarily connected in a unity of consciousness. A three-sided figure has necessarily three angles and vice versa.

<sup>45</sup> *Critique of Pure Reason*, Engl. translation, Smith, p. 416.



Thus, the necessary reality of the series of the world as a whole may determine the contingent and conditioned reality of its parts.

Furthermore, Maimon objects to the statement of Kant that the assumption of an absolutely necessary cause outside the world must lead to a contradiction. The causality of such a cause will by no means be in time and therefore will not belong to the totality of the phenomena of the world. The antithesis says: "If we assume that an absolutely necessary cause of the world exists outside the world, then this cause, as the highest member in the series of the causes of changes in the world, must begin the existence of the latter and their series. Now this cause must itself begin to act, and its causality would therefore be in time, and so would belong to the sum of appearances, that is, to the world."<sup>46</sup>

But if we assume with Maimon that time and the world are finite, and posit causality through a freedom whose source is outside of time and the phenomenal world, then this act of freedom does not begin to act *in* time but rather creates time itself. Herein, too, his relationship to Maimonides is manifest, for since time is bound up with motion, in relation to God the category of time does not apply. Therefore the act of creation of the world by a free agent (God) was not *in* time.<sup>47</sup>

#### IV.

According to Maimonides, who follows Aristotle in his conception of time as an accident of motion, the assumption of the creation of the world out of nothing implies that time, too, was created.

<sup>46</sup> *Ibid.*

<sup>47</sup> Cf. above, note 35. It is of interest to note that Fichte expressed the same thought thus: "When we posit the appearance of the absolute (i. e. God appearing through the act of creation of the world) at a certain point in time, we thus presuppose the reality of time in which, before creation of the world, God did not appear. This is generally assumed to be the meaning of the concept of creation. But this is logically incomprehensible, . . . for neither God nor His appearing is in time. The truth is rather the opposite: in the appearance of the world time arose . . ." (Fichte X, 345). Quoted from A. Messer, *Fichtes religiöse Weltanschauung*, 1923, p. 129.

Since time is bound up with motion, i. e. with change in general, it follows that the existence of time is dependent upon the existence of the world. On the other hand, when we maintain that the world was created at a point in time, we thus posit the existence of time prior to the existence of the world, and the eternity of time implies the eternity of substance, since time as an accident of motion cannot be thought of without substance. Therefore the proposition "God was before he created the world," in which the words "was" and "before" imply that time is independent of matter, is to be understood in a fictional (*erdichtete*), not in a true sense.

Maimon presents this argument of Maimonides and remarks: "Kant has in our time demonstrated that time is neither a substance nor an accident but the form of our intuition of the appearances. To the world as a thing-in-itself the concept of time does not apply."<sup>48</sup> In other words, the world as a thing-in-itself does not exist in time. The Maimonidean antinomy concerning the concept of time which, on the one hand, is an accident of motion and thus bound up with the existence of objects, and which, on the other hand, is a reality independent of matter, as the concept of creation assumes, is to be solved, according to Maimon, in the following manner: The world as a thing-in-itself does not exist in time, only the appearances are intuited by us through the form of time.

Here Maimon presents the solution of the antinomy of creation in accordance with Kant's concept of time as a form of intuition. Maimon himself, however, conceives of time as a

<sup>48</sup> Maimons *Lebensgeschichte*, II, p. 87 ff. Maimon renders the expression of Maimonides כל זה שער זמן או דמות זמן in relation to time before creation (Guide, II, 13) by "figment" of the imagination or "fictional time" (*erdichtete*). Perhaps Maimonides was the source for Maimon's concept of fiction which played such an important role in his thought. Maimon's own concept of time and space is similarly derived. Time and space as conceived directly with the various objects are a true image of the form of differentiation. When detached from the objects of perception, however, time and space are mere figments of the imagination. As fictions time and space arise when we imagine them not as a form of differentiation and heterogeneity of objects but as entities in themselves, and as abstracted from the objects in connection with which they occur.

form of successive perceptions, and thus his concept of time is bound up with the perception of sensuous objects. He is herein nearer to Maimonides' concept of time as an accident of motion than he is to Kant's. But he follows Kant in the basic distinction between the thing-in-itself and the appearances. There are, therefore, elements of both, Maimonides and Kant, in Maimon's solution of the antinomy of creation.

In his commentary on the *Guide* Maimon presents the antinomy of creation in the light of his concept of time, in a manner similar to his definition of the Maimonidean antinomy,<sup>49</sup> and its solution on the basis of the fundamental distinction between the thing-in-itself and the appearances.

Time is, according to Maimon, the form of succession of perceptions, in their following one after another, and space is the form of the discreteness and heterogeneity of objects. While for Kant time and space are pure forms of intuition, for Maimon time and space are forms of sensibility, and as such they are bound up with the perception of objects.<sup>50</sup>

Since time is the form of the successive perception of objects, there can be no time without objects of perception. Consequently, when we assume creation of the world, we have thus also posited creation of time, since time is necessarily bound up with the perception of sensuous objects. But, on the other hand, the concept of creation implies the coming into being of a world which did not exist before. It thus necessarily presupposes the existence of time prior to the existence of the world. Since the very concept of creation involves coming into existence at a point in time, time must be assumed as an independent reality prior to the existence of the world. This proposition, however, contradicts the previous one which is based on the concept of time as a form of sensibility, i. e. as the form of successive perceptions. Maimon follows Maimonides here in presenting the antinomy of creation as a concept contradicting the concept of time.<sup>51</sup>

The formulation by Maimon of the antinomy of creation in

<sup>49</sup> *Lebensgeschichte*, II, p. 88.

<sup>50</sup> Cf. above, p. 23 f.

<sup>51</sup> גבעת המורה, ed. Berlin, p. צ"ו.

this manner is totally different from the Kantian formulation thereof. For while Kant tries to show that the thesis of creation and its antithesis are logically equally valid, Maimon's endeavor is to demonstrate that the assumption of creation must involve us in a contradiction with the very concept of time.

The solution of this contradiction is to be found, according to Maimon, in the distinction which must be made between the thing-in-itself and the appearance. The concept of the world in its totality is subject to the basic distinction between the world as a thing-in-itself and the world as the sum total of appearances. The world as a thing-in-itself neither has a beginning in time nor is it non-created. Since creation as well as non-creation are temporal determinants and presuppose time which by definition as a form of successive perceptions of sensuous objects can apply only to objects of experience, therefore creation, or its opposite, is logically inapplicable to the world as a thing-in-itself. The world as appearance, however, simultaneously admits of the possibility of creation as well as non-creation. Potentially, the world has no beginning in time; since time is a form of sensibility, it is impossible to conceive of time without the existence of a world of objects, for we cannot think of time abstracted from sensuous objects. Therefore as far back in time as our imagination can reach, it must always be associated with the existence of objects. On the other hand, it is impossible to conclude the series of causes and thus to obtain a concept of the world in its totality; therefore our concept of the world is always finite and as such must have a beginning. This concept, however, is not of the world in its totality, but of an arbitrary part of it.<sup>52</sup>

In Maimon's formulation of the problem of creation as an

ואולם להיות הזמן צורת ההשגה ההרשנית, ימשך מזה שאי אפשר שימצא זמן מולת. <sup>52</sup> *Ibid.* דברים מורגשים; ולזה נניח חדוש העולם, נצטרך להניח גם כן חדוש הזמן בהכרח, והנה ציור החדוש הוא מציאות דבר אחר ההעדר בזמן, וזה מחייב מציאות הזמן קודם מציאות העולם וכו', וזה סותר מה שהנחנו. ואולם היתר הספק הוא זה. העולם מצד עצמו אינו באמת לא קדמון ולא כחודש, מפני היותו בלתי נמצא בזמן להיותו בלתי מורגש אבל מושכל לבד, והקדמון והמחודש שניהם ממקרי הזמן. ואולם בבחינת השגתנו, יהיה העולם קדמון ומחודש כאחד. הוא קדמון בכח, מפני שאי אפשר שנשיג זמן מולת מציאות העולם המורגש; ולזה כל אשר נחזור לאחור בהשגתנו נשיג חמיר מציאות העולם להשגתנו מציאות הזמן שהוא צורת ההשגה. ואולם אי אפשר שישלם ציור העולם בהשגתנו על זה הדרך. ולזה יהיה כל המושג לנו ממנו מחודש באמת. אבל אי אפשר שיהיה זה המושג כלל העולם, אבל יהיה חלק ממנו בהכרח.

antinomy as well as in his solution of it there are contained elements of both Maimonides and Kant. While in the formulation of the antinomy of creation Maimon follows Maimonides, his solution of the antinomy is based on the Kantian distinction between the thing-in-itself and appearance.

It is of interest to compare Maimon's views on the problem of creation as presented by him in different connections. Whereas here Maimon maintains that in relation to the world as appearance both concepts, creation as well as non-creation, equally apply, in another context Maimon develops the idea that also in relation to the world as appearance neither the concept of creation nor that of eternity is applicable. The former does not apply to it because it presupposes the existence of time prior to the existence of objects, nor does the latter apply because time as a form of sensibility is always limited to the series of successive perceptions which one can imagine.<sup>53</sup>

There is, however, no contradiction between the two presentations of the antinomy of creation by Maimon. His intention is in both cases to point out the difference between the world as a thing-in-itself and the world as appearance. The world as the absolute totality of appearances which is beyond the capacity of our imagination is a thing-in-itself in relation to which neither creation nor eternity applies. However, with regard to appearances which we can imagine, the concept of creation as well as non-creation equally applies, depending on whether the series of successive perceptions is limited or not. But in the first case it is merely an arbitrary part of the world, not the world in its totality. The sentence: **ואולם העולם המוחש וכו' לא יצדק בו תואר קדמון, להיות בבחינת השגת החוש הזמן מוגבל תמיד. וכן לא יצדק בו תואר קדמון, להיות בבחינת השגת החוש הזמן מוגבל תמיד. וכן לא יצדק בו תואר קדמון, להיות בבחינת השגת החוש הזמן מוגבל תמיד. וכן לא יצדק בו תואר קדמון, להיות בבחינת השגת החוש הזמן מוגבל תמיד.** i. e. that the concept of non-creation as well as that of creation does not

<sup>53</sup> אי אפשר שנאמר שהעולם קדמון או מחדש להיות הקדמון והמחדש: ק"ג, p. גבעת המורה. ממקרי הזמן, והנה העולם מצד עצמו וכפי מציאותו חוץ לעצם המשיג הוא מושכל לבד לא מוחש, והזמן הוא צורת כל מוחש לבד. ולזה יהיה העולם מצד עצמו ומוולת יחוסו אל העצם המשיג בלתי נופל תחת הזמן כלל. ואולם העולם המוחש הוא באמת נופל תחת הזמן, אבל לא יצדק בו תואר קדמון, להיות בבחינת השגת החוש הזמן מוגבל תמיד. וכן לא יצדק בו תואר מחדש, להיות המחדש מחייב מציאות זמן קודם מציאותו. והנה באמת אי אפשר שימצא זמן קודם מציאות העולם המוחש, וכו'.

apply to the sensible world, refers to the appearances of the world in their totality, which constitute a thing-in-itself.

In another connection Maimon refers to the concept of creation out of nothing as a concept transcending the limits of experience.<sup>54</sup> Creation out of nothing would seem to be a metaphysical idea lying entirely beyond the realm of experiential knowledge. On further consideration, however, Maimon maintains that creation out of nothing is not a transcendent concept, for we can derive it out of our own self, inasmuch as our understanding with its *a priori* forms is capable of comprehending objects of experience as an ordered world of phenomena. Since the ordered world is not "given" as a matter of fact, but is rather the result of the application of forms of thought *a priori*, we realize creation by an analysis of our thinking process and of its function in establishing order in the world. The forms of thought are creations out of nothing, since they are not "given" from outside.

Also through the pure capacity of imagination which supplies the forms *a priori* with the corresponding material and thus presents them as real objects, do we experience an act of creation. "The material *a posteriori*," writes Maimon, "must be given, but through the forms of thought *a priori* and the pure capacity of the imagination we are partially in possession of a concept of creation out of nothing. We can thus in our thought steadily and endlessly approach an absolute concept of creation which would embrace the creation of matter out of nothing as well."<sup>55</sup> Thus the metaphysical problem of the creation of the world is bound up, according to Maimon, with the critical concept of the world as a creation of the human mind.

To a critical philosopher who conceives the ordered world, scientific experience, as the result of the creative process of human thought, the concept of creation as such is not entirely beyond the realm of human experience, since in the thinking process of man we experience creation. And the idea of a divine absolute act of creation is in harmony with the critical concept of the world which emphasizes the creative character of man of

<sup>54</sup> *Philosophisches Wörterbuch*, p. 31.

<sup>55</sup> *Ibid.*



which we become aware through an analysis of our process of thought in relation to objects of experience.

It must, however, be pointed out that Maimon did not intend to imply that the forms *a priori* themselves spring out of the human mind during the thinking process while struggling with the problems. There is a possibility of conceiving the forms *a priori* not as constant and abiding forms constituting the changeless pattern of thought, but as creations of the human mind. While the former concept of *a priori* is subjective, the latter emphasizes the creative character of the human mind, i. e. that the forms *a priori* are not constitutive to but creations of thought springing out during the thinking process in its struggle with the problems. According to such a critical concept of *a priori*, the forms of thought are really and truly creations out of nothing. Maimon, however, did not consider the *a priori* forms as creations of the human mind, but rather as constitutive elements inherent in the subject. Maimon speaks of the forms of thought, the categories, as "*a priori* given,"<sup>56</sup> and it is obvious that he conceived the forms *a priori* as the constitutive elements inherent in the subject and forming the abiding and constant pattern of thought. All the same, even according to Maimon's subjective concept of *a priori*, the forms of thought have a creative function in relation to the manifold "given" from outside to which they apply. For it is only by these categories and forms *a priori* that the manifold of perceptions is synthesized into objects of reality.

It must, on the other hand, be admitted that the creation of the thinking process is not a creation out of nothing, since the material *a posteriori* must be "given" to it from outside. But it seems that Maimon's intention was to point out that we can imagine an absolute act of creation on the basis of our experiential knowledge of relative creation. The transition from limited and restricted creation (creation out of something) to absolute creation (creation out of nothing) is a gradual one, and the concept of absolute creation can be obtained by a continuous and gradual process of elimination of the limitations implied in

<sup>56</sup> Cf. Emil Lask, *Fichtes Idealismus und die Geschichte*, 1902, p. 41, note 2.

the relative acts of creation as experienced by man, or, in the words of Maimon: we can in our thought steadily and endlessly approach an absolute concept of creation.

Just as the idea of an infinite reason can be obtained through a continuous process eliminating the limitations of the finite reason,<sup>56a</sup> so also through a continuous process of thought eliminating the limitations involved in the creative thinking of man we will obtain an idea of absolute creation, i. e. creation out of nothing. In the material *a posteriori* "given" to our thought from outside inhere the limitations of creation. By a process of abstraction eliminating the "given" elements we will arrive at a pure and absolute act of creation, i. e. creation out of nothing.

Furthermore, in the conception of mathematical objects, nothing is "given" to us from without; mathematical objects are wholly produced by our mind. In the *a priori* construction of objects of mathematics we are similar to God "who produces the objects of nature in a manner similar to the method by which we produce the objects of mathematics through real thought, i. e. through construction."<sup>57</sup>

The fundamental difference between dogmatic and critical philosophy consists in that the former conceives the world as being and the latter as becoming. In the classic distinction between the Eleatics, who conceived reality as constantly abiding and changeless being, and Heraclitus, who conceived the essence of reality as perpetual change and ceaseless becoming, lies the basic distinction of the general difference between dogmatic and critical philosophy. To this fundamental distinction between being and becoming all systems of thought are reducible. The more dogmatic a system of thought is, the more it stresses the concept of changeless being, and the more critical a system of thought is, the more it emphasizes the concept of becoming as the fundamental essence of reality.

With the Copernican revolution of Kant in philosophy the idea of becoming gained in prominence and was placed in the center of philosophical thought. The world is an endless process,

<sup>56a</sup> Cf. above, p. 123.

<sup>57</sup> *Über die Progressen der Philosophie, Streifereien im Gebiete der Philosophie*, 1793, p. 36.

nothing is given as final but merely as a task. The thing-in-itself is not a substance bearing the appearances, a *noumenon* behind the *phenomena*, but rather an idea, i. e. an ideal which the human mind constantly strives to approach. The final solution of all problems, which is a mere ideal, a goal toward which to strive, is to be designated as the thing-in-itself. Maimon was the first to promulgate such a concept of the thing-in-itself.<sup>58</sup> In recent times it was Hermann Cohen who independently developed such a critical doctrine of the thing-in-itself.<sup>59</sup>

In such a world outlook creation has its legitimate place, since the world as an ordered cosmos is due to the creative process of the human mind. The more the problems are solved and the closer we come to the establishing of the unity of the world, the more the creativity of the human spirit is manifest. Since the thing-in-itself presents the ideal of the final solution of all problems which can be attained by an endless process, with the attainment of this ideal the maximum creativity will be realized. Just as for God all objects are the result of His thought, with the constant and ceaseless striving toward the final solution of all problems, as we approach the thing-in-itself, we come nearer the state in which all objects will be the result of our thought. It seems to me that there is a necessary connection between Maimon's doctrine of the thing-in-itself and his concept of creation as a concept known to us through an analysis of our thought in relation to objects of experience.

It is true that the creation of the human mind is limited and restricted, since a material *a posteriori* must be given to it, and we have no experience of an absolute act of creation, i. e. creation out of nothing. But by eliminating the limitations of the restricted human act of creation, we arrive at an idea of an absolute act of creation. Just as the idea of an infinite mind is derived by Maimon by a process of thought abstracting the finite, limited human mind of its limitations, so the idea of an absolute act of creation is to be deduced by a process of thought abstracting the

<sup>58</sup> Cf. *Philosophisches Wörterbuch*, p. 162; *Kritische Untersuchungen*, pp. 7-15.

<sup>59</sup> Cf. Hermann Cohen, *Kants Theorie der Erfahrung*, Berlin, 1916, 3rd ed., p. 638 ff.

limitations of the restricted human act of creation. The limited human act of creation is absolutized, and thus the idea of an infinite act of creation, i. e. creation out of nothing, deduced. The same method employed by Maimon for the deduction of an idea of an infinite reason is to be discerned in his concept of absolute creation, and the function of the idea of an infinite mind as well as that of an absolute creation are to be understood in the light of his concept of the thing-in-itself as an idea. All these doctrines of Maimon form integral parts of a single whole, i. e. of a critical outlook of the world as a constant process of becoming by which, owing to the creativity of the human mind, we can endlessly approach absolute unity.

## V.

The ideas of reason which Kant confined to the realm of speculative metaphysics were given a much wider scope by Maimon. They have their roots, according to him, in the faculty of the imagination whose field of action is much wider than the realm of the Kantian ideas of reason. Maimon writes: "The striving after the highest perfection in general, including the conception (*Vorstellung*) of the totality of our knowledge (which is the basis of the metaphysical ideas according to Kant), is not a function of reason, as Kant assumed, but of the transcendent imaginative capacity which comes into conflict with reason. The striving after totality of comprehension, i. e. a continuous approach to it, is an undeniable fact, and is not confined to the capacity of cognition alone but is characteristic of all human faculties. The conception of this totality with regard to cognition is absolute unconditional truth; with regard to the human will it is the highest good; with regard to the aesthetic feeling it is the highest ideal of beauty. The striving, however, in all these realms is the same. The idea of totality is the aim of this striving. The transcendent imaginative capacity (*Einbildungskraft*) unjustifiably transforms this idea into an object which as such has not reality but is indispensable as a goal, as an aim toward which to strive."<sup>60</sup>

<sup>60</sup> *Versuch einer neuen Logik*, 1794, p. 225.

The ideas have thus reality merely as manifestations of the striving after totality but not as conceptions of totality as an object. Kant has very much limited this striving after totality, inasmuch as he considered it to be merely a function of reason, while, according to Maimon, it is common to all human faculties, ethical and aesthetic as well as theoretical, and the urge after the highest perfection must be presupposed as the root and basis of this striving after totality.<sup>61</sup>

Here Maimon deduced the ideas of reason from a deeper source in man, his striving after the highest perfection from which flow not only the metaphysical ideas of the totality of cognition, but also the ethical as well as the aesthetic ideas of totality.

Maimon differs from Kant fundamentally in the explanation of the metaphysical ideas or in their "deduction." For while Kant ascribes to reason the idea of the totality of the application of the forms of understanding, Maimon considers that the source of this idea of the totality of cognition, such as the whole series of causes leading to a first cause (God), is the productive imaginative faculty which is capable by way of fictions of transcending the realm of experience. Now, in the conception of the striving of man after perfection, as the root and basis of the realm of ideas of totality, Maimon was influenced by Maimonides, for whom the striving after the highest perfection, ethical as well as rational, is the highest goal of man.

Hegel, just as Maimon before him, criticized Kant for enumerating only four antinomies corresponding to the four categories. Hegel sets out to show the larger scope of the antinomies, that they are not merely manifestations of the conflict of reason with itself, but rather of the very essence of human thought as such. But he goes much further than Maimon in maintaining that the antinomies are due not to reason or to the imaginative faculty which seeks to comprehend the essence of the world in its totality, but to the world itself, to thought and reality as such, reality and thought being identical for Hegel. The contradictions, the antinomies, are a manifestation of the dialectical movement

<sup>61</sup> *Ibid.*, p. 226.

of thought. To comprehend an object is to be conscious of it as a concrete unity of opposed determinations. "The true and positive meaning of the antinomies is this: that every actual thing involves a coexistence of opposed elements."<sup>62</sup>

Before Kant, it was assumed that when cognition has lapsed into contradiction it is to be attributed to some subjective mistake in argument. Kant's merit consists in having acknowledged that the antinomies are not due to mere aberrations of thought, but that whenever thought seeks to apprehend the infinite, the thing-in-itself, it must involve itself in contradictions or antinomies. But Kant did not explain the positive reason of the antinomies. The result of his doctrine is negative, i. e. that our reason has necessary limitations, and whenever thought strives to transcend its limits it must issue in contradictions. Maimon, however, was not satisfied with the mere negative result of Kant's doctrine of antinomies, but tried to penetrate to their root and to find a positive reason for the phenomenon of antinomies. In enlarging the scope of the antinomies and in searching in a more positive sense for a basis in our consciousness for the antinomies, Maimon anticipated Hegel.

While Kant's analysis of the antinomies leads only to the negative result that the thing-in-itself is unknowable, the result of Maimon's conception is positive, i. e. that the human mind can think of objects creatively and positively under the aspect of an infinite mind. The field of action of the antinomies is much wider than that of Kant. Antinomies are to be found not only in the realm of metaphysics but also in physics and mathematics. Thus Maimon discovered the real and positive meaning of the antinomies. In them, according to him, is manifest the infinite aspect of our mind, since man is capable of comprehending objects under the aspect of the infinite reason. The human striving for totality of knowledge is the result of man's striving for perfection, which is an endless goal. Man is aware of his relation to infinity in his striving after perfection. In the idea of perfection as well as in the idea of an infinite reason, which we

<sup>62</sup> Cf. *The Logic of Hegel*, Engl. transl. by William Wallace, 2nd ed., p. 100 ff.



obtain by a process of negation of the limitations of the finite reason, is manifest the infinite aspect of the human reason. In this infinite aspect of the human mind the root and basis of the antinomies are to be found. And in this concept of the human reason as a part of the infinite mind Maimon was influenced, as we have demonstrated, by Maimonides.

While Maimon enlarged the scope of the antinomies in order to find their true basis, Hegel tried to show that the true nature of all thought is antinomian in character. Maimon thus constitutes a link, a transition, between Kant and Hegel. For Maimon, by demonstrating the larger field of action of the antinomies, by showing that they are not confined to the cosmology of the old metaphysical systems, and by searching for a positive basis for the phenomenon of antinomies in the very nature of human consciousness, prepared the ground for Hegel and made Hegel's contribution towards the solution of the problem possible. But whereas Maimon showed that the basis of the antinomies lies in the nature of our consciousness in its capacity of comprehending objects under the aspect of the infinite mind, Hegel tried to demonstrate that the thinking process as such is antinomian in character. Reality as well as thought are, according to Hegel, subject to the dialectical process, the essence of which consists in reconciling the contradictions into a synthesis. The very essence of thought as synthesis requires two opposing elements, i. e. a contradiction, an antinomy, as the necessary material for the process of synthesis.

The influence of the philosophy of Maimon on that of Fichte was proved by many thinkers.<sup>63</sup> Not the philosophy of Jacob Siegmund Beck, but that of Maimon, constitutes the transition between Kant and Fichte.<sup>64</sup> Without Fichte, there would have been no Schelling, and without Schelling, there would have been no Hegel, for the development of the three systems of thought represents a continuous growth of a philosophical period to be treated as a unit, each of them representing a necessary link, an indispensable element of an organic whole. And it seems that

<sup>63</sup> Cf. above, note 1.

<sup>64</sup> Cf. Emil Lask, *op. cit.*, p. 121.

without Maimon there would have been no Fichte. We tried to show, with regard to the problem of antinomies, the transition leading directly from Maimon to Hegel. And since there are elements of thought in Maimon which can be traced back to Maimonides, we are justified in stating that without Maimonides there would have been no Maimon.

It is a fascinating thought to realize that, through the mediation of Maimon, Maimonides' ideas played their role in shaping the metaphysical systems of the post-Kantian period. One is overwhelmed in contemplating the devious and mysterious course of the human spirit; and one is involuntarily compelled to ask wonderingly, in a paraphrase of the words of Ecclesiastes: Who knows the way of the spirit?



## A JEWISH PHILOSOPHER OF THE TENTH CENTURY

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THE study of Jewish life in the medieval Muslim environment has long been recognized as a very rewarding undertaking. It affords a most instructive insight into the problems of the interaction of religion and culture, the tensions governing the life of the individual and the life of the group, and the influence of material conditions upon intellectual alertness. The understanding thus gained of the factors which govern majority-minority relationships is largely timeless in its application.

A good deal of material which has steadily grown in proportions is available for the task of studying this particular aspect of Jewish history. There are, however, many gaps in our material, and many niches and corners which have so far remained quite unexplored. This paper, it is hoped, will contribute to the elucidation of a small segment of a very wide field.

The intellectual position of Jewish scientists and physicians in Islam is comparatively well known. Their work is in no way distinguishable from that of their Muslim colleagues. But, considering the whole history of science and medicine in the post-Hellenistic Near East, there is nothing characteristic or surprising in the identity of Jewish and Muslim science.

Biographical information and religious polemics contribute much more to the understanding of Jewish assimilation in Islam and contain a wealth of interesting data. It is important to realize how much Jews could become interested in dogmatic questions which were purely Islamic in character. Their share in the lively discussion concerning a fundamental Muslim dogma, the *i'jâz al-Ḳur'ân*, is a case in point.<sup>1</sup> The importance of this

<sup>1</sup> Some remarks about the Jewish attitude toward *i'jâz al-Ḳur'ân* may also be found in M. Steinschneider, *Polemische und apologetische Literatur in arabischer Sprache*, Leipzig 1877 (*Abh. f. d. Kunde d. Morgenlandes* VI, 3) p. 314.

dogma, which concerned the inimitability of the language and style of the *Qur'ân*, consisted in the fact that it implied the superiority of Arabic as a language and a civilization. Its practical importance was matched only by the weakness of its foundation. In the ninth and tenth centuries, in particular, it was the target of all cultural and political opposition to orthodox Islam, and the rallying point for its defenders.

An amusing incident in the history of the *i'jâz* discussion in the tenth century involves the head of the Jewish community, the *Ra's al-jâlût*, in Rayy. He opposed the dogma in a disputation with the powerful statesman and famed littérateur, the *Şâhib* Ibn 'Abbâd. Knowing his opponent's exceeding vanity, he argued that there could be nothing to the supposed inimitability of the *Qur'ân*, since the *Şâhib's* literary productions were as perfect in language and style as the *Qur'ân*. Some weak protest was all Ibn 'Abbâd could muster in defense of his faith against that argument! The story, which, it would seem, is more entertaining than historically accurate, goes back to the *Kitâb fî ahlâk al-wazîrayn* by Abû Ḥayyân at-Tawḥîdî, about whom we shall hear more later on.<sup>2</sup>

The discussion of *i'jâz al-Qur'ân* was extended to the discussion of the question whether Torah and Gospel also were inimitable in style and language. Recognition of the *i'jâz* of Torah and Gospel clearly implied recognition of the cultural equality of the Jewish and Christian civilizations. As desirable as it might therefore have appeared to Jews and Christians to establish the *i'jâz* of their holy books, so repulsive was that idea to Muslims. A tenth-century Muslim reaction to the claim of *i'jâz* for Torah and Gospels is found in al-Bâkillânî's *Kitâb at-tamhîd*. Al-Bâkillânî saw the decisive proof against that claim in the circumstance that the style and language of the *Qur'ân* were used

<sup>2</sup> Yâkût, *Irşâd*, Cairo n. y. (1936-38), Vol. 6, p. 218 f. — As a curiosity in the history of Arabic-Jewish relations, it may be mentioned that the fourteenth-century historian aṣ-Şafadî reports that he was told by Jews that in the time of the famous calligrapher Ibn al-Bawwâb, less than a generation after at-Tawḥîdî, "a Jew wrote a Hebrew hand comparable to Ibn al-Bawwâb's Arabic writing, and never before him nor after him did anybody write Hebrew like he did" (*al-Wâfi*, Ms. or. Bodl. Seld. Arch. A. 26, fol. 58a).

by Muḥammad as a challenge to his Arabic opponents, who tried and were unable ('jz) to imitate them, whereas Moses and Jesus had no opponents to challenge with their holy books.<sup>3</sup>

The most significant aspect of the Jewish attitude toward the inimitability of the *Qur'ân* is the fact that the idea also invaded Jewish thinking at home. Again in the tenth century, we find Sa'adyâh defend himself against the accusation that one of his works, which was written with vowel signs and accents, "would weaken the hearts of the Jews and eventually lead them to doubts with regard to the twenty-four books (of the Bible), in that they might think that they were composed like Sa'adyâh's work."<sup>4</sup> With other words, Sa'adyâh's book could be considered an imitation of the Bible. It was thought to be possible that a writer might try to undermine the authority of the Bible by imitating it through some literary composition. It was further thought that such an attempt should be taken seriously and did not constitute a sign of foolishness but of unbelief. It is obvious that such a sequence of ideas did not grow upon purely Jewish soil but was formed under the impact of the Muslim dogma of *i'jâz al-Qur'ân*.

The process of intellectual assimilation is most clearly revealed in philosophical writings. However, the majority of Judaeo-Arabic philosophical books were written by religious leaders. Their natural preoccupation was the reconciliation of the tenets of Judaism with the way of thinking which prevailed in the non-Jewish environment. There were some famous Jewish philosophers whose philosophical outlook was entirely divorced from anything particularly Jewish. However, those whom we know best lived in the twelfth and thirteenth centuries.<sup>5</sup> There is little evidence for the existence of such completely assimilated Jewish thinkers from the preceding centuries, especially not for the eastern part of the Muslim world. It would, therefore, not seem entirely unjustified to introduce here a

<sup>3</sup> Al-Bâkillânî, *Kitâb al-tamhîd*, Cairo 1366-1947, p. 127.

<sup>4</sup> *Sēper hag-gâlûy*, ed. A. A. Harkavy, in *Leben und Werke Saadia's Gaon*, Theil I, Berlin 1891, pp. 162-63.

<sup>5</sup> Such as Hibatallâh al-Baġdâdî and Ibn Kammûnah, who later in their lives became converts to Islam.



Jewish philosopher of the tenth century who has hitherto remained unknown to modern scholarship — although he occupies no conspicuous place in the history of philosophy and has left us few traces of his mental exertions and hardly any biographical information about himself.

His name is Wahb b. Ya'îš ar-Raḳḳî. When we hear from him, it is in the Baġdâd of the eighties of the tenth century. That any memory of him has been preserved is due to the fact that he belonged to the most remarkable circle of scholars and thinkers who had gathered around Abû Sulaymân as-Sijistânî and his pupil, Abû Ḥayyân at-Tawḥîdî. Under the influence of a Greek philosophy which was tinged with a peculiar kind of mysticism, the problems of philosophy, scholarship, science, literature, and religion were discussed in this circle with a desire for originality and for freedom from tradition never before and never after experienced in Muslim civilization. It is mainly in at-Tawḥîdî's brilliant works that we find the few preserved remnants of Ibn Ya'îš's thinking together with at-Tawḥîdî's comments upon them.

We have only at-Tawḥîdî's word for it as to how much in his discussions is the intellectual property of Ibn Ya'îš and how much is his own. At-Tawḥîdî cannot be considered a reliable reporter. He may often be suspected if not of outright invention, at least, of twisting other people's remarks in order to make them conform to his own ideas. However, in this particular case, there exists no valid reason to mistrust at-Tawḥîdî's statements.

Only one of at-Tawḥîdî's references to Ibn Ya'îš expressly calls him al-Yahûdî, the Jew.<sup>6</sup>

Another passage of at-Tawḥîdî's *Kitâb al-imtâ'* mentions the names of contemporary philosophers who are members of the various religions, in the following terms:

"There are philosophers who are Christians, such as Ibn Zur'ah, Ibn al-Ḥammâr, and the like. There are philosophers who are Jews, such as Abû l-Ḥayr b. Ya'îš. There are phi-

<sup>6</sup> Text B, below, p. 165. [Ibn al-Maṭrân, *Bustân al-aṭibbâ'* quotes from Text C in the name of "Ibn Ya'îš, the Jewish philosopher."]

losophers who are Muslims, such as Abû Sulaymân, an-Nûsajânî, and others."<sup>7</sup>

Nowhere else do we find a *kunyah* connected with Ibn Ya'îš's name. He might very well have been called Abû l-Ḥayr, a *kunyah* which was quite common among Jews. It is, however, disturbing to note that there also existed a certain Abû l-Ḥayr al-Yahûdî, about whom we have no further information and who appears to have had contact with Wahb b. Ya'îš.<sup>8</sup> All this calls for a reexamination of the fact of Wahb b. Ya'îš's Jewishness.

The following possibilities suggest themselves, none of them completely certain:

1. The quoted passage may be corrupt, and the correct reading would be: "... such as Abû l-Ḥayr (and Ibn Ya'îš...)". This conjecture, however, is highly uncertain. In the case of the Jewish philosophers, we do not find the "etc." which is added after the names of Christian and Muslim philosophers. The author of the remark apparently wanted to make it clear that he knew the names of two or more Christian and Muslim philosophers but only of one Jewish philosopher.<sup>9</sup>

2. The passage in which Abû l-Ḥayr is mentioned together with Wahb b. Ya'îš may be corrupt. Indeed, there is probably something wrong with it, but the corruption does not appear to affect the point under discussion.

3. There could have been a Jewish philosopher, Abû l-Ḥayr Wahb b. Ya'îš ar-Raḡḡî, and another Abû l-Ḥayr al-Yahûdî who was also interested in philosophy.

4. There is the possibility that the Jewish philosopher, Abû l-Ḥayr had the patronymic Ibn Ya'îš, just like another Jewish philosopher, Wahb b. Ya'îš ar-Raḡḡî.

5. Finally, the epithet Jew may have erroneously been added by a copyist or a reader to the name of a Muslim, Wahb b. Ya'îš ar-Raḡḡî. The mistake may have been the result of a wrong combination of Wahb b. Ya'îš with the Jew, Abû l-Ḥayr b. Ya'îš.

<sup>7</sup> At-Tawḥîdî, *Kitâb al-îmtâ' wa-l-mu'ânasah*, Cairo 1939-44, Vol. 2, p. 14.

<sup>8</sup> Text C, below, p. 170.

<sup>9</sup> The number of either Muslims or Christians, in general, was considerable greater than that of Jews.

However, while the possibility mentioned under (5) cannot entirely be excluded, there also is some minor circumstantial evidence for Wahb b. Ya'îš's Jewishness. None of it is in any way decisive, but it all adds up to show that there is comparatively little reason to doubt the correctness of the passage in which Wahb b. Ya'îš is expressly called a Jew.

a) Raḳḳah on the Euphrates, from which Ibn Ya'îš came, was quite a Jewish center, which produced other Jewish scholars, such as Dâwûd b. Marwân al-Muḳammiš, who later in his life converted to Christianity, and others.<sup>10</sup>

b) Both Wahb and Ya'îš are somewhat unusual names for a Mesopotamian Muslim of that period. On the other hand, they are perfect Arabic translations of common Jewish names, such as Nathan and Ḥayyim.

c) In the passage which describes Wahb b. Ya'îš as being in the company of Abû l-Ḥayr al-Yahûdî the two are lumped together as one "group" (*tâ'ifah*). This may refer to their common religion.

d) The fact that Ibn Ya'îš is described as very poor, given to drinking, and in need of at-Tawḥîdî's recommendation would fit the member of a minority group much better than a Muslim.<sup>11</sup>

e) A last argument may be derived from the "biography" of Wahb b. Ya'îš which is inserted in the *Şiwân al-ḥikmah* by Abû Sulaymân as-Sijistânî. It is the only preserved biography of Wahb b. Ya'îš, but, unfortunately, like most biographies in the *Şiwân*, it is entirely devoid of any biographical information, at least in the form in which it appears in the preserved recension of the *Şiwân*. It reads as follows:

#### TEXT A

"Wahb b. Ya'îš ar-Raḳḳî. He said: We are convinced that Mûsâ (Peace be upon him!) said that God created man not for dissolution or eternal life, but He created him, and created the intellect

<sup>10</sup> Cf. al-Ḳirḳisânî, *Kitâb al-anwâr*, ed. by L. Nemoy, New York 1933 ff., Vol. 1, pp. 42 ff. U. Cassuto, *Dâvid Ibn Merwân al-Muḳammiš*, in *Enciclopedia Italiana*, Vol. 12, p. 414 (1931).

<sup>11</sup> Text B, below, pp. 167 and 165.

for him to use with regard to the virtues of the soul or the desires of the body. If he chooses the desires of the body, he will be attained by alteration of the body, and if he chooses the virtues of the soul, he will attain eternal and enduring life. Wahb said: And this was translated to us with difficulty. It admits of discussion, because it is philosophy in the appearance of law. It provokes conjectures, and there is room in it for opinions. All their knowledge has come to mankind from differences in interpretation and clashes in judgment."<sup>12</sup>

The Mûsâ mentioned is not the Mûsâ of the Kûr'ân. He is supposed to be the Biblical Moses, and the statement is clearly represented as having been derived from the Bible and its interpretation. It may be argued that Ibn Ya'îš, as a Jew, should have been better informed about the Bible. In addition, he might not have referred to a "translation." On the other hand, Abû Sulaymân may have reported this statement on the authority of Ibn Ya'îš, because the latter could be considered a reliable informant, being a Jew himself.

Ibn Ya'îš's literary production probably was not very considerable. The material which, for a very moderate sum, he dictated to a lecture audience or to professional copyists may have constituted part of it.<sup>13</sup> Only one short direct quotation from a written work of Ibn Ya'îš has been preserved by at-Tawhîdî. It is said to have been derived from the introduction of a treatise which he addressed to 'Aḡud-ad-dawlah in the year 370/980-1 and which a few years later he also sent to 'Aḡud-

<sup>12</sup> Ms. or. British Museum 9033, fol. 81: وهب بن يعيش الرقي قال: صح عندنا ان موسى عليه السلم قال ان الله لم يخلق الانسان للفناء ولا للبقاء ولكن خلقه وخلق العقل له استعماله (ليستعمله leg) في فضائل النفس او الشهوات (الشهوات leg) البدن (81b) فان اختار شهوات البدن ناله تغير البدن وان اختار فضائل النفس نال البقاء والخلود. قال وهب: وهذا ترجم لنا بعد صعوبة وعليه كلام لانه فلسفة في معرض ناموس وللظن فيه قدح وللراى فيه سبى وما اتى الناس في معارفهم (شيء؟) الا من اختلاف التاويل واعتراض الحسيان.

<sup>13</sup> Text B, below, p. 167.

ad-dawlah's successor, Şamşâm-ad-dawlah, in the hope of either receiving a pecuniary reward or of being admitted to the court of the Prince.

The remaining information about Ibn Ya'îš's thinking is in the nature of orally transmitted aphorisms. With the exception of the fragment from Abû Sulaymân's *Şiwân*, all our material is found in two works by at-Tawhîdî, the *Kitâb al-imtâ' wa-l-mu'ânasah*<sup>14</sup> and the *Kitâb al-mukâbasât*.<sup>15</sup>

The available information does not permit the reconstruction of Ibn Ya'îš's philosophy. It remains doubtful whether he ever possessed a philosophical system of his own. The way in which he expressed dissatisfaction with the prevailing system of instruction would seem to indicate a torn, maladjusted personality. His hankering after intuition also might easily conceal a lack of coherent thinking. He shared, however, these traits with his whole circle who, in general, possessed a very well-rounded and systematic philosophical picture of the world. It was also their method to pose individual problems and to doubt and discuss generally accepted solutions.<sup>16</sup>

<sup>14</sup> Cairo 1939-44, Vol. I, pp. 104<sub>12</sub>-107<sub>14</sub> (Text B), and pp. 216-220<sub>15</sub> (Text C). The text was edited by Aḥmad 'Amin and Aḥmad az-Zayn. A comparison of the printed text with the photostat of the Top Kapu manuscript in the Egyptian Library in Cairo yielded a strange result. In Text B, the editors overlooked only one divergence of their text from the manuscript (p. 107<sub>6</sub> : ينبغى : ينبغي Ms.?). In Text C, on the other hand, the printed text differs from the manuscript in a considerable number of passages, and no reference is made to those divergences in the footnotes of the edition. It is true that most of the divergences are very unimportant and mere lapsus calami.

<sup>15</sup> Ed. by Mirzâ Muḥammad Širâzî, Bombay, n. y., pp. 17-8 = ed. by Ḥasan as-Sandûbî, Cairo 1347-1929, pp. 157-58. The fifteenth *mukâbasah* is expressly attributed to Wahb b. Ya'îš (Text D). The sixteenth *mukâbasah* immediately follows, without any indication of a change in the participants. It is, therefore, justifiable to attribute it to Ibn Ya'îš (Text E). Its topic, however, is quite different from the contents of all the other fragments of Ibn Ya'îš.

<sup>16</sup> This method, as applied to religion, is considered by orthodox Muslims as characteristic of Bâtîni-Isma'îlî propaganda, cf., for instance, Ibn al-Jawzî, *al-Muntaẓam*, Hyderabad 1357-1938-39, Vol. 5, 2, p. 115. There can be no doubt about the intellectual affinity of at-Tawhîdî's circle to Isma'îlism.

Ibn Ya'îš certainly believed in some modification of the Neo-Platonic scale of emanations which connected the transcendental and material aspects of the universe. He states that the deity created the intellect — and therewith abdicated from any influence upon the determination of human affairs. Man, through his share in the intellect, is free to choose the course of his moral behavior and thereby to insure his eternal life or to cause the complete destruction of his physical and spiritual being (Text A).

The relationship and division of the spheres of the senses and the intellect determines the extent and character of human knowledge. The changing phenomena of the world are known through the senses. They are, therefore, easily known although they remain elusive because of their lack of persistence. On the other hand, the causes of change, the unchangeable, permanent realities behind the changing world, are the sphere of intellectual knowledge. They are, therefore, known only with difficulty and in a fragmentary manner. However, in the possession of the intellect man has the possibility to know them as much as it is good for him. He also has an incentive to be virtuous and to assimilate himself to the higher permanent beings. Our knowledge of the intellect is derived from the slave perspective of the senses, and, vice versa, that of the senses from the sovereign judgment of the intellect (Text C). A particular detail concern-

The question of their active adherence to Ismâ'ilism, however, is a different problem, which may never satisfactorily be solved. At-Tawhîdî was officially opposed to the Šî'ah (cf., for instance, Ibn Ḥajar, *Lisân al-Mizân*, Hyderabad 1329-31—1911-13, Vol. 6, pp. 369 f.).

The close connection of Jewish (and Christian) philosophers with this circle has certainly served to give a semblance of justification to the persistent allegations of orthodox Muslims that minority members in disguise who sneaked into the orthodox Muslim fold were mainly responsible for the appearance of heretical leanings in Islam. Cf., among the numerous instances, the story that the heretic Ibn ar-Râwandî was of Jewish origin and that it was said at the time that he would corrupt the Ḳur'ân as his father had corrupted the Torah (Ibn al-Jawzî, *al-Muntaẓam*, Vol. 6, p. 99; Ibn Kaṭîr, *Kitâb al-bidd'iyah wa-n-nihâyah*, Cairo 1351-1932 ff., Vol. 11, p. 112, and other references with slight variations). The same story is also told about Bišr al-Marîšî (*Ta'rîḫ Baġdâd*, Cairo 1349-1931, Vol. 7, p. 61).



ing the division of sensual and intellectual perception is the fact that quality belongs to the realm of the senses, while quantity belongs to that of intellect and soul (Text D).

The dichotomy of intellect and senses also determines the character of the three modes of reality, the necessary, possible, and impossible. Though distinct from each other, they have no sharply defined dividing lines, and their difference is a matter of degree.<sup>17</sup> The dominating mode is the necessary (as well as the impossible). It is one and unchangeable, and thus related to the intellect. The possible admits of accidents and is connected with the phenomena which are subject to change. It is, therefore, related to the senses. It governs all ordinary human actions (Text C).

The direct way to real knowledge would be through immediate intellectual contact with the unchanging, permanent realities. The present system of instruction which requires the study of logic and the sciences merely obstructs the acquisition of that knowledge. Teachers consider the subjects they teach as a source of income and are not only not interested in guiding their students to real knowledge but see their own advantage in keeping them from it (Text B).

Intellectual and psychological preoccupation make it more difficult for a man to be at his best in a discussion than when he is engaged in undisturbed intellectual creation (Text E). On the other hand, the process of accumulating knowledge depends on the existence of divergent opinions and their discussion (Text A).

<sup>17</sup> This theory can hardly be reconciled with the following statement.

## TEXT A

See above p. 160f.

## TEXT B

On another occasion, he (the wazîr, Abû 'Abdallâh al-'Ârid) said to me (at-Tawhîdî): Wahb b. Ya'îš ar-Raḡḡî al-Yahûdî has presented (me) with an epistle in which he says after a very lengthy laudatory introduction:

There is a short and easy way to philosophy. With no effort and trouble, it leads anyone who follows it to the wisdom, happiness and success in the other world which he desires. Our colleagues, however, through their falseness, miserliness, small-mindedness, unhelpfulness, and their exacting demands on, and jealousy of the students, have made that way long, dangerous, and thorny, and precluded its successful use. Their attitude is explained by the fact that logic, geometry, and related subjects have become their means of making a living, their clothing, food, and drink. Like an iron wall, this attitude confronts the students of philosophy, lovers of truth, and searchers after the manifold problems of the universe.

This is the idea he has been driving at.

My reply was: I know Ibn Ya'îš's theories on this subject. He is my neighbor. Recently, in the year (3)70, he wrote a similar epistle to the late prince ('Aḡud-ad-dawlah, d. 372/983), using it as an introduction. I was helpful in interceding for him(?). He is very indigent and in dire financial straits. There is much to the opinions which he has advanced, but something can also be said in favor of the opinions of our colleagues, I mean, his opponents. The opinions of both sides have their advocates.

He (the wazîr) said: Come on and tell me. I would like to know everything about this particular subject.

My reply was: Ibn Ya'îš means to say that the life of man is short, whereas the knowledge of the universe and its secrets is a vast subject. How could it be different since it is composed of different strata and layers and put together after a well-devised

and orderly plan! Thus, being bent on investigating the contents of the universe, man lacks sufficient strength, encounters many obstacles, and finds no strong incentives. Moreover, while his senses are awake, intellectually he is asleep. He loves all that is present, and he is afraid of all that is absent. He feels at home in the country to which he is used and in which he has grown up. He shies away from the place to which he had not gone and where he had not been before (i. e., the world of intellect), although he originated there. He has no enduring knowledge of nor complete confidence in that.

Since man is characterized by such weakness and inability, the best thing for him to do is to choose a shortcut to happiness and salvation and to help himself with that kind of reasoning which is most easy for him to apply, considering his capacity and aptitude. Now, the shortest path and the easiest kind of reasoning may be found in the knowledge of nature, soul, intellect, and God (He is exalted!). If he knows all this according to the mutual relationship of the whole and the details, his will be the Greatest Success and the Mightiest Kingdom. This procedure will save him a good deal of reading in weighty volumes with many pages as well as the constant occupation with studying, the verification of texts, discussions, and research.

There definitely is an element of truth in this statement by Ibn Ya'îš, although the practical difficulties are quite considerable. Not everybody is gifted by nature with the great many qualities of insight and natural intelligence which are required. The power (which Ibn Ya'îš has in mind) is a divine one; or, if it is not divine, it is an angelic one; or, if it is not angelic, it is, at least, the summit of human capabilities. The person who combines all those qualities is a great exception and is found only rarely among very many people at very long time intervals . . .

(There are very few individuals who by nature speak perfect Arabic. The great majority must study grammar in order to acquire a thorough knowledge of the language).

Thus, the person whom Ibn Ya'îš has in mind, who is gifted with that power, needs no instruction. Yet, where can that extremely rare individual be found? If he were here, there would be nothing

else for you to do but acknowledge his authority, learn from him, and follow him.

The decisive point is that in the possession of such perfection you may achieve this goal. (However), you cannot reach it through yourself. It is a thing which comes to you from someone else. Therefore, you must carefully and attentively follow the footsteps of the logicians, physicists, and geometricians. Then, you will eventually become similar to that uniquely perfect and quite exceptional person.

In this way, it has become clear what is correct in Ibn Ya'īš's ideas and what is correct in the ideas of his opponents. It does not speak against a person who has defects that he must spend much effort on mending them. Only the perfect person can rely upon his own gifts and dispense with further search.

His (Ibn Ya'īš's) remark in the beginning of the discussion:

"People have made the way impassable and thorny, and have turned the diffusion of wisdom into a trap to catch in it worldly well-being."

is not remote but quite close to the truth. Whenever, being senselessly drunk and being mocked at,<sup>18</sup> he dictated a leaf for a Muqtadirī dirham,<sup>19</sup> he thought that he was doing good business, while in fact, he is one of the poorest and lowliest persons in the world.

### TEXT C

Once we had a discussion about the possible. I (at-Tawhîdî) reported some remarks of Ibn Ya'īš ar-Raḡḡī which I had heard him make. There is no objection to put them down in this place. It is a subject which deserves our constant investigation and most careful discussion.

He (Ibn Ya'īš) said: The possible is similar to a dream. It has no body to alight upon and no nature to reside in. You will

<sup>18</sup> Or: giving vent to his sarcasm?

<sup>19</sup> A dirham coined under al-Muqtadir was by that time over fifty years old. It may denote here a coin of less or rather, more value than an ordinary dirham.

admit that dreams can be classified (in their relation to reality) as either more or less (remote) or just in the middle. Like as a dream is a shadow of the state of being awake, and shadows increase and decrease in their relationship to the subject (which casts a shadow), thus the possible is a shadow of the necessary. Sometimes the possible increases and becomes similar to the necessary, sometimes it decreases and assumes the semblance of the impossible, and sometimes it is just in the middle.

He said: The necessary admits of no accident, because it is restricted to itself. It partakes in oneness, inasmuch as it undergoes no change or transformation under the influence of time, place, generation, nature, imagination, or intellect. On the contrary, the intellect permits itself to be guided by it, nature is submissive to it, and imagination is afraid of it. Conjecture cannot fathom the form of the necessary, nor a declaration that it is merely permissible enter into force regarding it, nor an agent of destruction and abrogation gain power over it.

This characterization also applies to the impossible, because { . . .

It does not apply to the possible, because } as compared to the necessary, it is just in the opposite situation. That is, it has no body, but it admits of accidents. Every accident of the possible is of the previously described quality of more, or less, or just in the middle. Therefore, all activity is connected with the possible in the open, apparent, and accidental aspects of situations, things, or affairs. Necessity(?)<sup>20</sup> gains predominance over it in the secret, concealed, and permanent aspects. The division between open and secret aspects reveals itself less clearly to the senses than to the intellect.

Since we have more to do with the senses — even though traces of the intellect are not entirely absent in this preponderance of the senses in us — we must acknowledge the things that result from or are connected with the possible. We must work in accordance with the possible and have reference to it, when we give or take orders or prohibit something. Then, realizing that as a compensation for our preponderant connection with

<sup>20</sup> *Leg.* الوجوب?

the possible we possess another phenomenon which appears within us to a lesser degree, namely, the intellect, we will come to the conclusion that the form of the necessary is dominant from beginning to end — which is the impossible — through the possible which is in front of the necessary, to the last recess of the impossible.<sup>21</sup>

We had to acknowledge the first thing (that is, the importance of the possible for practical affairs) and to agree to act and be employed, to lift up and put down, to blame and be blamed, to regret and cause someone else to regret, all in accordance with the possible. Exactly so, we must also acknowledge the sovereignty of the necessary which cannot be deposed and must unavoidably be admitted and conceded without let and hindrance.

Ibn Ya'īš's remarks went on abruptly in his style, for which he lacks the technical ability, while his ideas crowd upon him. He said: A dream is the shadow of the state of being awake. It takes the place in the middle between being awake and being asleep, I mean, between the open appearance of the senses through movement, and their concealed state through immobility.

He said: Sleep takes the place in the middle between life and death.<sup>22</sup> Death takes the place in the middle between existence which is connected with the state of being visible, and existence which is connected with eternal duration.

He said: This is merely an approximate, over-simplified description. The (fruit of) certainty, growing on a thorny bush, is difficult to pluck, and many a bitter draught must be swallowed

<sup>21</sup> The manuscript reads: *الذى هو الممتنع بواسطة الممكن الذى* هو فى عرض الواجب الى اخر الممتنع. This, however, is not much clearer than what we read in the edition.

<sup>22</sup> This agrees literally with the Aristotelian definition: *ὁ δ' ὕπνος . . . τοῦ ζῆν καὶ τοῦ μὴ ζῆν μεθόριον* (*De generatione animalium* 778b). The theory of the *μεθόριον* from *De gen. anim.*, in general, is the ultimate source of much of what Ibn Ya'īš says.

It is easy to quote many parallels to Ibn Ya'īš's leading ideas. There is, however, always, an obvious element of originality in his exposition. It must be said that, as in the case of at-Tawḥidī himself, it often is originality at any cost.



(before partaking of it). There exist and come up so many obstacles of milieu and environment, etc., which it would be too time-consuming and tedious to enumerate in detail.

He (the *wazîr*) said: These are splendid remarks. I would not have thought that with his lack of eloquence and soundness, Ibn Ya'îš could so successfully venture into such difficult territory.

I (at-Tawḥîdî) said to him (the *wazîr*): Still, he puts his aim very high, and he has certain ideas. He either proves plainly the ideas which he conceives, or shows sound imagination the way to accept them.

I (at-Tawḥîdî) said: Today he (?) had some instructive encounter which took place between him and Abû l-Ḥayr al-Yahûdî.

He (the *wazîr*) said: What was it? Let us enjoy the pearls of that group which we are inclined to believe in, although we are unable to compete with it. We ask God to bear with our weakness to which we were born, and, instead, to give us strength through which we may find for ourselves nearness (to Him) in the other world.

I (at-Tawḥîdî) said: He mentioned that the intellect is not concerned<sup>23</sup> with the things that are subject to transformation, flux, and extension.<sup>24</sup> The senses, in turn, have no effect upon matters that do not develop under the influence of transformation and extension.<sup>24</sup> Therefore, the processes governing the things that come into being and dissolve are known. On the other hand, the causes and reasons of their appearance and disappearance, their dispersion and composition remain concealed. This separation and concealed status are entrusted to the sublime power and the potent (divine) will.

He said: There is some secret sense to this arrangement which gives real meaning to what has just been said. (The facts of) the concealed status in its primary condition and of appearance in certain cases are made available and released to (man)

<sup>23</sup> عناية : غناء Ms.

<sup>24</sup> Ms. wrongly والبطول.

who is able to carry just this much (knowledge). If he were given to carry less, he would reach the state of wild beasts, and if he were given to carry more, he would reach the state of the angels.<sup>25</sup> He would no longer be a human being. Yet, it is an original condition for man to be a perfect human being through toil and continuous effort, and to dislike merely to possess the form of man as a loan, as if,<sup>25a</sup> in reality, he were an animal devoid of reason. He must strive very hard in order to become a virtuous human being and, in his virtue and perfection, to be (like) an angel, I mean, not as a species, but through volitional assimilation.

He (Ibn Ya'īš) said: The most that those concerned with (the things that come into being) are able to know is that knowledge stops at (the fact of) their transformation and flux, not at the consideration of their particulars, because their arrangement is subject to change with the change of time. You will admit that a figure on water has no form, because the surface of water has no persistence. The same applies to a line drawn in the air. Likewise, the things that come into being and perish have no forms because they have no persistence. If you find a thing that has no persistence, you would not add to it another thing which also has no persistence, and expect that by combining them persistence would come about. This is absolutely unimaginable. If this were possible, it would also be possible to put together two things that have persistence and, as a result, achieve flux and change.

He (Ibn Ya'īš) said: The intellect is described by the testimony of the senses, and so are the senses by the testimony of the intellect. However, the testimony of the senses concerning the intellect is like that of a slave concerning his master, while the testimony of the intellect concerning the senses is like that of a master concerning his slave. These two testimonies are not identical and constant, because both the senses and the intellect insist upon their individual characteristics. Consequently, there is no animal which is entirely devoid of intellect, while, on the other hand, there are living beings that have no senses.

<sup>25</sup> The translation is uncertain.

<sup>25a</sup> *Leg.: ka-annahū.*

Then, he said: The intellect dominates the noble, simple, spiritual things through (its connection with) the forms on high. The ties which exist between the intelligibilia and sensibilia hinder the intellect. Intelligent is he who has freed the enduring, eternal, permanent, constant, and persistent things from the encumbrance of the things that come into being, decay, appear,<sup>26</sup> go, change, end, are unstable, and perish.

This short exposition gives rise to some doubt, opposition, and difference of opinion, but I feel that no decision is at present possible.

#### TEXT D

I (at-Tawhîdî) asked Wahb b. Ya'îṣ ar-Raḡḡî: How does it come that quality communicates itself from its bearer elsewhere — for instance, the smell of an apple which communicates itself to the brain — while this is not so with quantity and its bearer? For instance, the quantity of two or three apples in Zayd's possession does not communicate itself to 'Amr.

He replied: Quantity is closer to substance and more strongly united with it. It points more directly to connection, attachment, and unity. It is not so with quality. (The result of quality) in great amount differs from that of quality in one unit. You will admit that quality is conditioned, as you can see, by the senses, and was derived from<sup>27</sup> nature. You also will admit that quantity is conditioned, as you can see, by the intellect connected with the soul.

#### TEXT E

A man is not able to live up to his intention and purpose and to be at his best whenever he expands upon a topic vis-à-vis a gathering which he attends, an opponent with whom he is en-

<sup>26</sup> البائئات Ms. There are two more cases of divergences in these adjectives, where, however, the edition appears to have the correct text.

<sup>27</sup> واشتق من leg. واسبق عن "and prior to . . ."??

gaged in a discussion, or a friend whom he censures. How does this come?

He (Ibn Ya'īš?) replied: That man is in a secondary position, in which he has become a prisoner of his previous statements. In this position he needs both a power to retain and a power to set forth. Both those powers, or one of them, often fail him. It is different when he makes a new speech, or invents an idea. Then he is quite free to present his product as elaborately as he pleases. He is not stopped by previous statements. He has not to guard against something which he expects and of the sudden appearance of which, when his mind is not prepared and ready for it, he is apprehensive. His position is safe, and his mind unimpaired. This permits him to reach his best form. The dividing barrier is down, and the veils are torn asunder. (The feeling of) being first is helpful,<sup>28</sup> and (that of) being all by oneself is salutary.



# AN ANALYSIS OF *U-BA' LE-ZIYYON* IN THE LITURGY

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## AN ANALYSIS OF *U-BA' LE-ZIYYON* IN THE LITURGY

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FOR the purpose of this study it will be convenient to divide the text of **וּבֵּא לְצִיּוֹן** in the customary ritual<sup>1</sup> into the following six parts:

1. Two verses from the Prophets: Isa. 59.20, 21;
2. Psalm 22.4;
3. A group of three verses comprising Isa. 6.3, Ezek. 3.12 and Ex. 15.18, each with its corresponding Targum (Kedusha de-Sidra);
4. A lectionary of verses consisting of: I Chron. 29.18; Pss. 78.38, 86.5 and 119.142; Micah 7.20; and Pss. 68.20, 46.8 (12), 84.13 and 20.10;
5. A non-biblical portion, extending from **בְּרוּךְ אֱלֹהֵינוּ שְׁבֵרָאנוּ** **וְלַחֲיֵי הָעוֹלָם הַבָּא** to **לְכַבְּדוּ**;
6. Concluding verses: Ps. 30.13, Jer. 17.7, Isa. 26.4, Ps. 9.11 and Isa. 42.21.

### I. THE USE OF THE BENEDICTION INDEPENDENTLY OF *U-Ba' Le-Ziyyon*

Although best known as an integral part of **וּבֵּא לְצִיּוֹן**, the non-biblical portion, or the Benediction, to which we turn first, is also found independently in contexts unrelated to **וּבֵּא לְצִיּוֹן**, as follows:

<sup>1</sup> S. Baer, *Seder 'Abodat Israel*, Roedelheim 1868, pp. 127-9.

<sup>2</sup> "Benediction" (capitalized) is used hereafter to designate this part of **וּבֵּא לְצִיּוֹן**. The **הוּא** between **בְּרוּךְ** and **אֱלֹהֵינוּ**, arbitrarily inserted in Baer's text, has been omitted.

1. In a Genizah fragment published by J. Mann,<sup>3</sup> יוצר ליום is preceded by ראשון וליחיד ארוממך followed by אשרי, which is only cited up to כול' מזמור while the rest is indicated only by ברוך אלהינו שבראנו לכבודו ושהבדילנו "מן התועים וכו'."

2. In commenting on the presence of ברוך אלהינו שבראנו לכבודו above "in an unusual connection,"<sup>4</sup> Mann notes that it occurs also in Seder R. Amram, where it is recited after a lesson in Halakah subsequent to Habdalah on Saturday night.<sup>5</sup>

3. In the section dealing with תלמוד תורה של יחיד in Siddur R. Saadia the practice which prevailed before Pesuke de-Zimra is described as follows:<sup>6</sup> והנה היחיד [אינו צריך] לברך בכל פעם שהוא קורא בתורה או מזכיר דבר מן התלמוד ר"ל המסנה לא לפני הקריאה והלימוד ולא אחריהם ובלבד שהתפלל כבר תפלת השחר אבל אם לא התפלל עדיין צריך לברך לפני הקריאה והלימוד בא"י אמ"ה אקב"ו על דברי תורה בא"י אמ"ה אשר בחר בנו מכל העמים . . . הערב נא . . . בא"י נותן התורה אח"כ יקרא או ילמד ובאה הקבלה ללמד הלכה זו לפני התפלה בכל בוקר אחרי הברכה הזאת אילו דברים שאין להם שיעור . . . והיחיד לא יברך אחרי גמר הקריאה והלימוד אבל אם היו עשרה לומדים יאמרו בגמרם ברוך אלהינו וקדיש יתגדל<sup>7</sup>

That the ברוך אלהינו שבראנו referred to above is

<sup>3</sup> *HUCA*, II (1925), p. 294, Fragment No. 4.

<sup>4</sup> *Op. cit.*, p. 300.

<sup>5</sup> *Op. cit.*, p. 300, n. 76. Cf. A. Marx, *Untersuchungen zum Siddur des Gaon R. Amram*, Berlin 1908, Heb. pt., p. 15. See L. Ginzberg, *Geonica*, N. Y. 1909, II, p. 300, and I. Elbogen, *Der juedische Gottesdienst in seiner geschichtlichen Entwicklung*, 2nd ed., Frankfurt a. M. 1924, p. 121 top.

<sup>6</sup> *Siddur R. Saadja Gaon*, ed. I. Davidson-S. Assaf-B. I. Joel, Jerusalem 1941, p. 358. The daily morning service commences with the Pesuke de-Zimra, pp. 32-4. For the ברכות השחר, which follow the ברכות הנהנין, see pp. 87-9 (cf. Elbogen, *Gottesdienst*, p. 526 top).

<sup>7</sup> On the reading קדיש על דברי תורה see A. A. Neuman-S. Zeitlin (ed.), *Saadia Studies*, Phila. 1943, p. 337.

<sup>8</sup> The particular Kaddish prescribed is the customary קדיש לאחר הקבורה. See *Masseket Soferim*, ed. M. Higger, N. Y. 1937, pp. 336-7. According to Seder R. Amram (Marx, *Untersuchungen etc.*, Heb. pt., p. 14), this Kaddish was also recited after the study of 'Abot on Sabbath afternoon. It is also the קדיש אחר סיום מסכת (Siddur 'Ozar ha-Tefillot, Wilna 1914, I, p. 432).

'לכבודו וכו' is evident from the fact that in two other instances Siddur R. Saadia makes mention of ברוך אלהינו, where its identity with ברוך אלהינו שבראנו לכבודו וכו' is unmistakable.<sup>9</sup> Furthermore, the following parallel should make it even more certain.

4. The *ברכות השחר* section in the Italian rite contains a collection of fixed biblical and rabbinic selections,<sup>11</sup> which is not only

<sup>9</sup> S. Assaf, in Siddur R. Saadia, p. 359, n. 25 (toward the end) inclines to this view, without, however, finding support for it.

<sup>10</sup> Siddur R. Saadia, p. 40, line 23; and p. 127, lines 15-16.

<sup>11</sup> מחזור כל השנה כפי מהנה ק"ק איטאליאני, with an Introduction by S. D. Luzzatto, Livorno 1856, I, 4b-6b. The biblical selections are:

- A. The section concerning the regular daily sacrifices: Num. 28.1-8 (on Sabbath Num. 28.9, 10 is added; on New Moon, Num. 28.11-15).
- B. The Priestly Benediction: Num. 6.22-27.
- C. Selected verses from the three divisions of Scripture:
  - a) A verse from the Pentateuch: Deut. 29.8.
  - b) Verses from the opening chapter of the opening book of the Former Prophets: Josh. 1.8, 9.
  - c) A verse from the opening book of the Latter Prophets: Isa. 47.4.
  - d) The initial verses of the opening chapter of the opening book of the Hagiographa: Ps. 1.1-3.

The grouping together of Deut. 29.8, Josh. 1.8 and Ps. 1.2, 3 is based on 'Abodah Zarah 19b.

The rabbinic selections, Mishnah and Gemara alternating, are:

- A. The opening paragraph of the opening tractate of the Mishnah, viz. Berakot I 1 (up to עמר שיעלה עמוד השחר), followed by Gemara thereto (תנא היכא קאי . . . והדר מפרש מילי דערביית).
- B. A chapter of the Mishnah concerning the method in which the sacrifices were brought in the Temple, viz. Zebachim V (איהו מקומן), followed by the Baraita of R. Ishmael (at the beginning of *Sifra*).
- C. A Mishnah which stresses חלמוד חורה, viz. Pe'ah I 1, followed by Megillah 28b bottom (אמר רבי זירא . . . אל תקרי הליכות אלא הלכות).
- D. The last paragraph of the first chapter of the opening tractate of the Mishnah, viz. Berakot I 5, followed by Berakot 64a, end (אמר רבי) (אלעזר . . . שלוח בארמונותיך).

In commenting on the arrangement of biblical and rabbinic selections in the Italian rite, S. Krauss, "Zur Literatur der Siddurim," in *Soncino Blaetter*, ed. H. Meyer, Berlin 1927, II, p. 29, n. 104, observes: "Nach dieser Anordnung sind die Thora- und Talmud-stuecke im 'Vornes' in einer Gruppe vereint, es gibt also nicht deren 2 Gruppen wie bei uns."

The arrangement, in *ברכות השחר*, of selections from the Bible, Mishnah

preceded by the customary introductory benediction,<sup>12</sup> but which is also followed by: **ברוך אלהינו שבראנו לכבודו והבדילנו מן התועים**: ונתן לנו תורתו תורת אמת הוא יפתח לבנו לתורתו וישים בלבנו לאהבה אותו וליראה אותו ולעשות רצונו בלבב שלם למען לא ניגע לריוק ולא נלד לבהלה ונדרש חקיק ונוכה לתלמוד תורה ולמעשים טובים ולחיי העולם הבא.<sup>13</sup>

In addition to the above-quoted sources, in which the Benediction is entirely unrelated to **ובא לציון**, there are instances in Siddur R. Saadia of its detachment from **ובא לציון**, and its use independently thereof. Toward the end of **תפלת השחר ליחיד** in Siddur R. Saadia the service proceeds in the following order:<sup>14</sup>

(1) the lectionary of verses commencing with **ואנחנו לא נדע**, which concludes Tahanun; (2) Pss. 78.38, 20.10; (3) **אשרי**; and (4) **ברוך אלהינו שבראנו לכבודו וכו'** (at which point the service ends). It is to be noted that since in **תפלת יחיד** the Kedushah is not recited, that part of **ובא לציון** which contains the Kedusha de-Sidra is dispensed with,<sup>15</sup> but not **ברוך אלהינו שבראנו לכבודו וכו'**. Moreover, the lectionary of verses immediately preceding the Benediction, which, strictly speaking, is not part of the Kedusha de-Sidra, is also omitted, since there already precede a number of other biblical selections, namely, **ואנחנו לא נדע**, Pss. 78.38, 20.10 and **אשרי**.

A recognition of the fact that at the time of Saadia the Benediction, though part of **ובא לציון**, was still a removable ele-

and Talmud is based, as observed by Seder R. Amram (ed. Warsaw 1865, 2a), on the talmudic dictum in Kiddushin 30a: **לעולם ישלש אדם שנותיו שליש במקרא**: שליש במשנה שליש בתלמוד.

<sup>12</sup> בא"ה אמ"ה אקב"ו על דברי תורה הערב . . . המלמד תורה לעמו ישראל בא"ה אמ"ה **וכו'**, on which see Ginzberg, *Geonica*, I, p. 126 and Elbogen, *Gottesdienst*, p. 526 bottom. Cf. note 7 above.

<sup>13</sup> On the presence of **ברוך אלהינו שבראנו לכבודו וכו'** in the **ברכות השחר** of the Italian rite, Krauss, *op. cit.*, p. 21, comments: "also an ganz anderer Stelle als bei uns." The text of **ברוך אלהינו שבראנו לכבודו וכו'** of the Italian rite (ed. Livorno, I, 24a) is somewhat longer, though essentially the same as the one in **ברכות השחר**.

<sup>14</sup> Siddur R. Saadia, p. 25. Cf. Mann, *HUCA*, II, p. 300, n. 76 (toward the end).

<sup>15</sup> See Assaf, in Siddur R. Saadia, p. 25, n. 13.

ment, helps to clarify an otherwise difficult passage in Siddur R. Saadia. The passage in question contains the following statement after *ויש מוסיפים בשבת*:<sup>16</sup> *תפלת השחר לצבור* וְבֹא לְצִיּוֹן לפני ברוך אלהינו למנצח מזמור לדוד השמים מספרים כבוד אל ומעשי ידיו וְבֹא לְצִיּוֹן. Since *מגיד הרקיע עד סוף המזמור וההוספה הזאת אין בה הפסד* which contains the Kedusha de-Sidra was not recited after the service on Sabbath morning,<sup>17</sup> the above statement can only be interpreted to mean that *ברוך אלהינו שבראנו לכבודו וכו'* detached from *ויש מוסיפים בשבת* with its Kedusha de-Sidra as in *תפלת השחר ליחיד*, was recited on Sabbath morning after אשרי preceding the Musaf Service, and that there was no objection to the practice of those who, in honor of the Sabbath, added Psalm 19 to אשרי.

The following, to sum up, are the salient facts which may be gathered from all the sources adduced above:

1. The benediction commencing with the words *ברוך אלהינו שבראנו לכבודו* was originally an independent liturgical composition, which was recited after a period devoted to the study of Halakah (*תורה שבעל פה*) or after the reading of selections from Scripture (*תורה שבכתב*).
2. Periods were set aside for the study of Halakah, in conjunction with which the Benediction was recited, at the beginning of a new week, marked by the Habdalah ceremony on Saturday night (Seder R. Amram), and before the morning service of each day of the week (Siddur R. Saadia).
3. Selections from Scripture were concluded by the Benediction:
  - a) prior to *תפלת יוצר ליחיד* (Genizah fragment);
  - b) prior to the Musaf Service on Sabbath morning (Siddur R. Saadia); and
  - c) at the end of *תפלת השחר ליחיד* (Siddur R. Saadia).
4. The scriptural selections preceding the Benediction consisted of either
  - a) a lectionary of verses commencing with *קומה עזרתה לנו* followed by אשרי before *תפלת יוצר ליחיד* (Genizah fragment); or

<sup>16</sup> Siddur R. Saadia, pp. 40-41.

<sup>17</sup> See Assaf, in Siddur R. Saadia, p. 40, n. 22.

- b) Pss. 78.38, 20.10 and אשרי following the end of Tahanun in תפלה השחר ליחיד (Siddur R. Saadia); or
- c) אשרי, to which Psalm 19 might be added, before the Musaf Service on Sabbath morning (Siddur R. Saadia). The addition of Psalm 19 reflects a twofold purpose. First, to make it suitable to the occasion, the theme of the first part of the Psalm being a glorification of creation which the Sabbath commemorates. Secondly, to relate it to Torah with which the Benediction is closely connected, the glorification of Torah being the theme of the second part of the Psalm.
5. The combination of selections in the ברכות השחר, drawn, in conformity with Kiddushin 30a,<sup>18</sup> from the Bible, Mishnah and Talmud is concluded by the Benediction (Italian rite).

## II. THE STRUCTURE OF THE BENEDICTION

The discussion of the Benediction which follows, will deal first, with its dependence upon the Bible; secondly, with its affinities with other liturgical compositions; and lastly, with its unique character.

That the Benediction is interwoven with phrases from, and adaptations of, verses from Scripture — a feature typical of liturgical compositions in general —<sup>19</sup> has been observed by as early a commentator of the Prayer Book as Abudrahim. The parallels, almost all of which have been traced by him,<sup>20</sup> may be tabulated as follows:

ולכבודי בראתיו	Isa. 43.7a	1. שבראנו לכבודו
ואבדל אתכם מן העמים	Lev. 20.26b	2. והבדילנו מן התועים
(וידעו) תעי (רוח בינה)	Isa. 29.24a	

<sup>18</sup> See note II above.

<sup>19</sup> Abudrahim, ed. Warsaw 1877, 5a: ויש לך לדעת כי לשון התפלה הוא מיוסד על לשון המקרא ולכן תמצא כתוב בפי' הוה על כל מלה ומלה פסוק כמוה או מענינה ומלות על לשון המקרא ויש שלא נמצא להם יסוד במקרא ולכן אביא להם יסוד מהנמרא Cf. W. Jawitz, *Siddur 'Abodat ha-Lebabot*, Berlin 1922, Introduction, p. V bottom; and P. Birnbaum, in *Sefer ha-Shanah li-Yehude America*, VIII-IX, N. Y. 1946, pp. 343-6.

<sup>20</sup> Ed. Warsaw, 34b.



3. תורת אמת	Ps. 119.142	ותורתך אמת
4. וישם בלבנו אהבתו	Deut. 10.12b	ליראה את ה' . . . ולאהבה אתו
5. ולעשות רצונו	Ps. 40.9	לעשות רצונך
6. ולעבדו בלבב שלם	I Chron. 28.9a	ועבדהו בלבב שלם <sup>21</sup>
7. לא ניגע לדיק	Isa. 65.23a	לא יגעו לדיק ולא ילדו לבהלה
8. שנשמור חקיך	Ps. 119.5	לשמר חקיך

The following table exhibits the several parts of the Benediction with their liturgical parallels:

BENEDICTION AFTER THE READING OF THE TORAH (Masseket Soferim, XIII 8, ed. Higger, p. 244)	THE BENEDICTION (Baer, <i>Seder 'Abodat Israel</i> , pp. 128-9)
בא"ה אמ"ה אשר נתן לנו תורת אמת וחיי עולם נטע בתוכנו בא"ה נתן התורה:	[ברוך (הוא) אלהינו <sup>22</sup> שבראנו לכבודו <sup>23</sup> והבדילנו מן התועים] ונתן לנו תורת אמת <sup>24</sup> וחיי עולם נטע בתוכנו

PRAYER AT THE END OF THE  
AMIDAH (Genizah fragment  
published by S. Schechter,  
*JQR* (OS), X, p. 657)<sup>25</sup>

הוא יפתח לבנו<sup>26</sup> בתורתו<sup>27</sup> וישם בלבנו כן יהי רצון ורחמים מלפניך ה'

<sup>21</sup> Baer, *Seder 'Abodat Israel*, p. 128, and Jawitz, *Siddur 'Abodat ha-Lebabot*, p. 80 bottom. Abudrahim cites Deut. 11.13b, ולעבדו בכל לבבכם.

<sup>22</sup> The opening of the Benediction in the Yemenite rite (תכלאל) סידור . . . תכלאל) ברוך אלהינו ברוך אדנינו (Jerusalem 1894, I, 70a) reads: כמנהג כל קהלות הקדש חימן ברוך בוראנו.

<sup>23</sup> Similarly, ברא לכבודו, ברכות נשואין in (שהכל) ברא לכבודו, On man created for God's glory, see S. Schechter, *Some Aspects of Rabbinic Theology*, N. Y. 1910, p. 81, n. 1.

<sup>24</sup> Yemen (*Tiklal*, I, 70a)-Maimonides add: על ידי משה רבינו.

<sup>25</sup> See the present writer in *JQR*, XXXIII, p. 461, n. 4.

<sup>26</sup> Yemen-Maimonides read: הרחמן יפתח לבנו; the Italian rite: הרחמן הוא יפתח לבנו. Siddur R. Saadia (p. 25) has: הרחמן יפתח לבנו. However, according to one of the Genizah fragments published by N. Wieder in *Saadya Studies*, ed. E. I. J. Rosenthal, Manchester 1943, p. 277, line 2, Siddur R. Saadia also read: הרחמן הוא יפתח לבנו. Cf. Grace after Meals in Mann, *HUCA*, II, p. 338, Fragment No. 21: הרחמן הוא יפתח לבנו לתורה.

<sup>27</sup> So also Seder R. Amram, Mahzor Vitry and the Sephardic rite. On



customary benediction after the public reading of the Torah in the Synagogue. The second part, which in some rituals opens with הרחמן,<sup>32</sup> is a prayer to the effect that knowledge of Torah might be conducive to the love and fear of God, to the performance of His will and to wholehearted service. The affinities exhibited between this prayer and that of the given Genizah fragment are: (1) הוא יפתח לבנו and וישם בלבנו convey the same thought as שתקרבונו ל'; (2) תורה, אהבה, and יראה are mentioned in both, though in reverse order; and (3) לעשות רצונו ולעבדו בלבב agrees with לעשות רצונך בלבב שלם. The third part, a messianic conclusion, opens with the words יר"מ ה"א וא"א, which constitute a typical introduction to a number of familiar prayers.<sup>33</sup> For the second half of this messianic peroration there is a parallel in Grace after Meals.

Although composed of three separate parts, the Benediction must have contained them as a unit from the beginning, judging by the fact that they are invariably joined together in all extant rituals.

The uniqueness of the Benediction consists in the manner in which its opening part is constructed. The expression והבדילנו מן התועים (Maimenides: מן העמים), which, as was noted by Abudrahim, is an echo of Lev. 20.26b, is also essentially a paraphrase of אשר בחר בנו מכל העמים. Viewed in this light, the Benediction contains not only, as we have seen, אשר נתן לנו תורה, but also אשר בחר בנו מכל העמים, אמת חיי עולם נטע בתוכנו. In other words, of the two Torah benedictions mentioned, whose pattern is an introduction (בא"ה אמ"ה), a middle part and a חתימה, only ברוך אלהינו of the introduction, and the middle part, have been incorporated, whereas שם ומלכות and the חתימה have been omitted.

The question naturally arises, Why should ברוך אלהינו שבראנו have been so formulated as to constitute, in substance, a composite of the two Torah benedictions, without at the same time being a benediction in the strict sense of the term? To answer this question, it is necessary to bear in mind that the

<sup>32</sup> See note 26 above.

<sup>33</sup> See Baer, *Seder 'Abodat Israel*, pp. 42, 43, 104, 232, 238; cf. Ber. 16b.

Genizah remains preserve, in addition to the instance noted of a lectionary of biblical verses being concluded by ברוך אלהינו שבראנו לכבודו וכו' תפלת יוצר, other instances of lectionaries which are concluded by benedictions associated with the public reading of the Torah. In a Genizah fragment published by S. Schechter,<sup>34</sup> a rubric, after the תחנונים following the Amidah, directs that a number of verses (not specified) be read (תם יקרא), subsequent to which the following benediction is to be pronounced (ויברך ויקול): בא"ה אשר בחר בנו מכל העמים ונתן לנו: את תורתו בא"ה נותן התורה. In another Genizah fragment, published by J. Mann,<sup>35</sup> one of the lectionaries preceding תפלת יוצר is concluded by the following: בא"ה הנותן תורה מן השמים וחיי עולם במרומים בא"ה נותן התורה. The latter benediction is substantially the same as that prescribed in Masseket Soferim XIII 8 to precede an individual's reading of the Torah in the morning, and is the Palestinian equivalent of אשר בחר בנו מכל העמים.<sup>36</sup> Thus these two Genizah fragments indicate that the same benedictions which were associated with the Reading of the Torah, were also used after lectionaries of verses subsequent to Tahanun or prior to תפלת יוצר. It would seem, therefore, that ברוך אלהינו שבראנו לכבודו וכו' owes its unique formulation to a compromise. For, there must have been opposition to the practice, attested by the above Genizah fragments, of concluding lectionaries of verses with Torah benedictions, which, it must have been felt, should be reserved for use in connection with the public reading of the Torah. Hence, ברוך אלהינו שבראנו לכבודו וכו' was an attempt to meet the opposition half-way by being worded in such a way that it should retain the substance of the Torah benedictions but drop their outward form. And by the addition of a prayer and messianic peroration to its benedictory part, ברוך אלהינו שבראנו לכבודו וכו' was made still more unlike in form to the Torah benedictions. That owing to this unique construction, it won favor, can be judged by the use to which it was put in the various sources cited in the preceding section of the present study.

<sup>34</sup> *JQR* (OS), X, pp. 657-8. Cf. Mann, *HUCA*, II, pp. 298-9.

<sup>35</sup> *Op. cit.*, p. 293.

<sup>36</sup> Mann, *op. cit.*, p. 280.

### III. THE VERSES PRECEDING THE VERSE FROM MICAH IN THE LECTIONARY

Since, as has been previously shown, the Benediction was invariably preceded by either scriptural selections or rabbinic lessons, it was natural, when it was made a fixed part of **ובא לציון**, that it should be supplied with some antecedent subject matter. The result is the lectionary of biblical verses which constitutes No. 4 of the component parts of **ובא לציון**.

A glance at this lectionary discloses the fact that it consists in the main of verses from the Psalms, that placed at the beginning is a verse from Chronicles, and that interspersed with the verses is one from the Book of Micah. The four verses preceding the one from Micah, namely, I Chron. 29.18 and Pss. 78.38, 86.5, 119.142, will now be considered.

This lectionary is not the only one which selects for its opening, a passage from the Book of Chronicles. **הודו לה' קראו** (I Chron. 16.8-36) in Pesuke de-Zimra is likewise followed by passages from the Book of Psalms. Similarly, at the end of Tahanun, **ואנחנו לא נדע** (II Chron. 20.12b) is the first of a group of verses, all of which, except **ברנו רחם חוכר** (Hab. 3.2b) which, however, is not included in Siddur R. Saadia<sup>37</sup> nor Yemen<sup>38</sup>-Maimonides, are derived from the Psalms.

The use, both in **ובא לציון**, as well as in Pesuke de-Zimra and at the end of Tahanun, of a passage from Chronicles prior to selections from the Psalms, seems to reflect a tendency, for the understanding of which consideration must be given to the position of the Book of Chronicles in the Hagiographa. Although its usual place, in accordance with the classic Baraita in Baba Batra 14b, is at the very end of the Hagiographa, in the Masorah and in a number of old Bible MSS. it is to be found at the very beginning of the Hagiographa, immediately before the Book of Psalms.<sup>39</sup> Since the Book of Chronicles contains, among other

<sup>37</sup> Siddur R. Saadia, p. 25.

<sup>38</sup> *Tiklal*, I, 56a-57a.

<sup>39</sup> See F. Buhl, *Canon and Text of the Old Testament*, Edinburgh 1892, p. 40; C. D. Ginsburg, *Introduction to the Massoretico-Critical Edition of the Hebrew*

matters, an account of the life of David with special stress on the Davidic origin of all the arrangements and liturgy of the Temple, and the Book of Psalms is traditionally of Davidic authorship, the former was regarded as an appropriate introduction to the latter. Hence the practice of introducing a lectionary consisting of selections from the Psalms with a passage from Chronicles, thereby establishing a link between David, the originator of psalmody, and his Psalter which provided the material for psalmody. Accordingly, I Chron. 29.18 is the introduction to the lectionary which, in the main, consists of verses from the Psalms.

A comparison of the next two verses (Pss. 78.38, 86.5) with those in **ואנחנו לא נדע** at the end of Tahanun discloses the fact that both comprise Psalm verses which belong to the same category. For the purpose of this comparison only those verses in **ואנחנו לא נדע** are taken into account which occur in all rites. The result is as follows:

ובא לציון	ואנחנו לא נדע
78.38 והוא רחום	(1) 25.6 זכר רחמיה'
	79.8 מהר יקדמונו רחמיה'
86.5 ורב חסד לכל קראיך	(2) 25.6 וחסדיך כי מעולם המה
78.38 יכפר עון	(3) 79.8 אל תזכר לנו עונות
	ראשנים
78.38 יכפר עון	(4) 79.9 וכפר על חטאתינו

The proximity of **ואנחנו לא נדע** to the lectionary of **ובא לציון** accounts for the influence of the former upon the latter in the selection of verses in the Tahanun mood, which consists in an appeal to God that, through the exercise of His mercy and lovingkindness, pardon might be granted to the individual's sins. Impressed as he must have been by the presence in the



ובא לציון lectionary of words like רחום, כפר, עון and חסד, which are characteristic of Tahanun, Maimonides, in his Order of Prayers, refers to the verses of the ובא לציון lectionary as תחנונים.<sup>40</sup>

ובא לציון ואנחנו לא נדע exercised a still further influence on the lectionary. The reason why a verse from Chronicles was chosen to introduce the lectionary was stated above, but not the reason why this particular verse, viz. I Chron. 29.18, was selected. This can only be explained by reference to ואנחנו לא נדע, in which one of the verses, common to all rites, is Ps. 103.14, כי הוא ידע יצרנו. It is this verse which must have suggested I Chron. 29.18 in which the words שמרה זאת לעולם ליצר מחשבות לבב עמך occur. Back of the matching of the word יצר in both verses was also, undoubtedly, the rabbinic association of יצר with הרע which leads to sin.<sup>40a</sup>

That the lectionary, however, was intended to be more than a collection of תחנונים verses is evident from the selection of the next verse, namely, Ps. 119.142, which contains the phrase ותורתך אמת. The latter is not only the basis of תורת אמת ברוך, but is part of a verse advisedly selected, in order to establish thereby a link with the Benediction following the lectionary, in which the phrase תורת אמת occurs. The tendency to link up the lectionary with the Benediction recalls the addition to the former, in Siddur R. Saadia, of Psalm 19 on Sabbath morning as a suitable reading to precede the Benediction, since the second part of that Psalm contains a glorification of Torah.

To sum up, the lectionary of verses in ובא לציון is dependent, in its choice of I Chron. 29.18 as well as of Pss. 78.38, 86.5 which follow, upon ואנחנו לא נדע and the Tahanun theme which it reflects. At the same time, Ps. 119.142, the only verse in the entire lectionary which makes specific mention of Torah, is added to the above verses, in order to establish thereby a link with the Benediction.

(וכן נהגו העם להתחנן אחר סדר היום) בתחנונים אלו ה' אלהי אברהם  
יצחק וישראל אבותינו וכו'.

<sup>40a</sup> See Schechter, *Some Aspects of Rabbinic Theology*, pp. 242-3.

#### IV. THE PROPHETIC PASSAGE IN THE LECTIONARY

Before continuing with the discussion of the remainder of the lectionary, comment must be made on the total number of verses included therein. The nine customary verses, enumerated in No. 4 of the component parts of **ובא לציון**, occur in Seder R. Amram,<sup>41</sup> Mahzor Vitry,<sup>42</sup> and the Italian<sup>43</sup> and Sephardic<sup>44</sup> rites, Mahzor Vitry deviating slightly in the order of the verses.<sup>45</sup> On the other hand, Siddur R. Saadia,<sup>46</sup> Yemen<sup>47</sup>-Maimonides, Mahzor Romania<sup>48</sup> and the Persian rite<sup>49</sup> contain, in addition to the usual verse from Micah (7.20), the two immediately preceding verses (Micah 7.18, 19). Furthermore, Siddur R. Saadia is unique in including in the lectionary Ps. 30.13 (**למען יזמרח כבוד** 'ונו'), which in practically all rites is the first verse following the Benediction,<sup>50</sup> and in placing Ps. 20.10 (**ה' הושיעה ננו**) after Ps. 78.38 (**והוא רחום ננו**).<sup>51</sup> Thus the lectionary in Siddur R. Saadia consists of twelve, instead of the usual nine, verses.

Since the plan reflected in the selection and arrangement of verses in the lectionary is exhibited more fully in Siddur R. Saadia which contains the larger number of verses, the latter will be made the basis of the analysis which follows. Including

<sup>41</sup> Ed. Frumkin, I, p. 316.

<sup>42</sup> Ed. S. Hurwitz, Nuernberg 1923, p. 74.

<sup>43</sup> Ed. Livorno, I, 24a.

<sup>44</sup> *Seder ha-Tefillot*, ed. M. Gaster, London 1901, I, p. 49.

<sup>45</sup> Siddur R. Saadia, p. 40; cf. *JQR* (NS), IX (1918-19), p. 282.

<sup>46</sup> Siddur R. Saadia, p. 40; cf. *JQR* (NS), IX (1918-19), p. 282.

<sup>47</sup> *Tiklal*, I, 69b-70a.

<sup>48</sup> See Assaf, in Siddur R. Saadia, p. 40, n. 15.

<sup>49</sup> *JQR* (OS), X, p. 609.

<sup>50</sup> The Italian rite, like Siddur R. Saadia, has no verses whatever following the Benediction. In Joel's variants in Siddur R. Saadia (p. 40) and in one of the Genizah fragments of the Siddur published by Wieder in *Saadya Studies*, p. 279, Ps. 30.13 is omitted from the lectionary. The latter verse is discussed further on p. 197 below.

<sup>51</sup> In Joel's variants of the Siddur and in Wieder, *loc. cit.*, Ps. 20.10, as in *Tiklal* I, 69b-70a, is omitted. The position of Ps. 20.10 in the lectionary is discussed on pp. 196-7 below.

the verse from נדע ואנחנו לא which determined the selection of I Chron. 29.18, the text of the version of the lectionary and Benediction in Siddur R. Saadia reads as follows:<sup>52</sup>

*The Psalm Verse from the Lectionary at the End  
of Tahanun*

103.14                      כי הוא ידע יצרנו זכור כי עפר אנחנו

*An Introductory Verse from Chronicles*

I Chron. 29.18                      ה' אלהי אברהם יצחק וישראל אבותינו .1  
שמרה זאת לעולם ליצר מחשבות לבב עמך  
והכין לבבם אליך

*A Group of Psalm Verses*

78.38                      והוא רחום יכפר עון ולא ישחית והרבה .2  
להשיב אפו ולא יעיר כל חמתו  
20.10                      ה' הושיעה המלך יעננו ביום קראנו .3  
86.5                      כי אתה ה' טוב וסלח ורב חסד לכל קוראִיך .4  
119.142                      צדקתך צדק לעולם ותורתך אמת .5

*A Passage from the Book of Micah*

7.18                      מי אל כמוך נושא עון ועובר על פשע לשארית .6  
נחלתו לא החזיק לעד אפו כי חפץ חסד הוא  
ib., v. 19                      ישוב ירחמנו ויכבוש<sup>52a</sup> עונותינו ותשליך .7  
במצולות ים כל חטאתם  
ib., v. 20                      תתן אמת ליעקב חסד לאברהם אשר נשבעת .8  
לאבותינו מימי קדם

*A Group of Psalm Verses*

68.20                      ברוך ה' יום יום יעמס לנו האל ישועתנו סלה .9  
46.8(12)                      ה' צבאות עמנו משגב לנו אלהי יעקב סלה .10  
84.13                      ה' צבאות אשרי אדם בוטח בך .11  
30.13                      למען יזמרח כבוד ולא ידום ה' אלהי לעולם אורך .12

<sup>52</sup> The lectionary is on p. 40, the Benediction on p. 25. The conclusions arrived at in the preceding section of this study are not affected by the consideration that they were based on the customary version of the lectionary.

<sup>52a</sup> MT.: יכבש.



Mondays and Thursdays in Seder R. Amram,<sup>56</sup> as well as in the Italian,<sup>57</sup> Sephardic<sup>58</sup> and Yemenite<sup>59</sup> rites.

With the above facts in mind we are in a position to comprehend the motive which must have prompted the insertion of the Micah passage in the lectionary. After the selection of the introductory verse from Chronicles and the "Tahanun" verses following it, with the Tahanun context as a guide, and of the "Torah" verse (Ps. 119.142) as a connecting link with the Benediction, the next step, again under the influence of Tahanun, consisted in including the Micah passage, so that the latter, together with the Psalm verses preceding, both of which contain echoes of Ex. 34.6, 7, might furnish as complete a verbal tally as possible with Ex. 34.6, 7 or the שלש עשרה מדות.

The following table exhibits the almost perfect tally of the Micah passage and the preceding Psalm verses with the י"ג מדות:

THE MICAH PASSAGE WITH THE  
PRECEDING PSALM VERSES

EXODUS 34.6, 7

3. ה' הושיעה	1. ה'
4. כי אתה ה' טוב וסלח	2. ה'
6. מי אל כמוך	3. אל
2. והוא רחום	4. רחום
	5. וחנון
2. והרבה להשיב אפו	6. ארך אפים
4. ורב חסד לכל קוראיו	7. ורב חסד
8. חתן אמת ליעקב	8. ואמת:
6. כי חפץ חסד הוא	9. נצר חסד לאלפים
6. נושא עון	10. נושא עון
6. ועובר על פשע	11. ופשע
7. ותשליך במצולות ים כל חטאתם	12. וחטאה . . .
8. אשר נשבעת לאבותינו	13. פקד עון אבות . . . <sup>60</sup>

<sup>56</sup> Ed. Warsaw, 19b; ed. Frumkin, I, p. 394.

<sup>57</sup> Ed. Livorno, I, 19b-20a. Among the verses in Tahanun for Thursday in this rite (21b) are also Micah 7.18-20.

<sup>58</sup> Ed. Gaster, I, p. 39.

<sup>59</sup> *Tiklal*, I, 57a-b.

<sup>60</sup> On the various divisions of Ex. 34.6, 7 into thirteen attributes, see S. D. Luzzatto's Commentary on the Pentateuch ad loc. (pp. 360-63).

Two conspicuous omissions in the above tally need to be accounted for. First, it is admittedly difficult to explain the striking omission from the lectionary of a verse for a tally with וחנון in the מדרות י"ג, unless it be due to a desire to avoid the impression that the lectionary belongs to the חנון section of the service, a desire, which we observed, also prompted the insertion of a Torah verse (Ps. 119.142). In any event, it is clear that, exclusive of וחנון, the tally is perfect. Secondly, Ps. 119.142, which serves, as has been observed, as the connecting link with the Benediction, is the only verse which does not enter into the tally with the מדרות י"ג.

The plan to establish a tally of the Micah passage and the Psalm verses preceding it with the מדרות י"ג is indicative of a definite aim, namely, to stress the recurrence, in the Prophets and Hagiographa, of the theme of the Thirteen Attributes of God, first enunciated in the Pentateuch.<sup>61</sup> This aim is reminiscent of the midrashic practice referred to in Megillah 31a, כחוב בתורה, ושנוי בנביאים ומשולש בכתובים, and in Leviticus Rabba XVI 4 (ed. Wilna, 22b), בן עזאי... מחרין דברי חורא לנביאים ונביאים לכתובים.<sup>62</sup>

Besides tallying with the מדרות י"ג, the Psalm verses and the Micah passage also tally with each other. Listed below are four such tallies, in each of which at least one member of the tally was not previously used for the tally with the מדרות י"ג:

2. והוא רחום	7. ישוב ירחמנו
2. יכפר עון	7. ויכבש עונותינו
2. והרבה להשיב אפו ולא יעיר כל חמתו	6. לא החזיק לעד אפו
4. ורב חסד לכל קוראיו	8. חסד לאברהם

Furthermore, taking the group of Psalm verses and the Micah passage separately, each yields tallies with the introductory

<sup>61</sup> S. R. Driver, *The Book of Exodus* (Cambridge Bible), Cambridge 1911, p. 367, adduces a dozen different verses outside the Pentateuch which contain echoes of Ex. 34.6, 7. See I. Sonne, *HUCA*, XX (1947), pp. 264-5.

<sup>62</sup> Similar to Megillah 31a is 'Abodah Zarah 19b. Cf. further Tosefta Rosh ha-Shanah IV 6, ed. Zuckerman, p. 212; Sanhedrin 90b; and Makkot 10b.



verse from Chronicles. The Psalm verses tally with the verse from Chronicles as follows:

- |                    |                   |
|--------------------|-------------------|
| 3. ה' הושיעה       | 1. ה' אלהי אברהם  |
| 4. אתה ה'          |                   |
| 5. צדקתך צדק לעולם | 1. שמרה זאת לעולם |

The last verse of the Micah passage tallies with the verse from Chronicles as follows:

- |                       |                              |
|-----------------------|------------------------------|
| 8. חסד לאברהם         | 1. אלהי אברהם                |
| 8. תתן אמת ליעקב      | 1. יצחק וישראל               |
| 8. אשר נשבעת לאבותינו | 1. אברהם יצחק וישראל אבותינו |

Finally, like *וּתוֹרַת אֱמֶת* in the last of the Psalm verses preceding the Micah passage, *אֱמֶת* in the last of the Micah verses tallies with *אֱמֶת* (תורה) in the Benediction, thus establishing another link with the latter. That it must have been regarded as an appropriate link is evident from the fact that the word *אֱמֶת*, when standing alone, was itself interpreted to mean Torah (Berakot 5b: *אֱמֶת זו תורה שנאמר אֱמֶת קנה*).

## V. THE VERSES FOLLOWING THE PROPHETIC PASSAGE

After the insertion of Micah 7.18–20 for the reason given above, the next and final step consisted in concluding the lectionary by selecting such verses as would, in keeping with the underlying plan, yield tallies with the Micah passage, with the Psalm verses preceding it, with the introductory verse from Chronicles, and last, but not least, with the Benediction. It will now be shown that the verses selected meet these requirements.

The tallies between the verses following the Micah passage and the Micah passage are:

- |          |          |
|----------|----------|
| 6. אל    | 9. האל   |
| 8. ליעקב | 10. יעקב |

The tallies of the verses following the Micah passage with the Psalm verses preceding it are:

3. ה' הושיעה	9. ברוך ה'
3. ה' הושיעה	9. האל ישועתנו
4. אתה ה'	11. ה' צבאות

The tallies between the verses following the Micah passage and the introductory verse from Chronicles are:

1. ה' אלהי	12. ה' אלהי
1. לעולם	12. לעולם

As for the link with the Benediction, it will be noted that the first word of the group of verses following the Micah passage, viz. ברוך, tallies with the opening word of the Benediction, which is also ברוך. Furthermore, אלהי (10) tallies with the second word of the Benediction, viz. אלהינו. Finally, כבוד (12) tallies with לכבודו in the Benediction.

A review, up to this point, of the various tallies which the lectionary supplied, will reveal the fact that one link in the whole chain of tallies is missing, namely, that between the introductory verse from Chronicles and the Benediction. To complete the analysis, therefore, it is necessary to indicate that just as the group of Psalm verses preceding the Micah passage, the Micah passage itself, and the group of verses following the Micah passage, are each linked up with the Benediction, so, too, are definite tallies discernible between the introductory verse from Chronicles and the Benediction, namely:

THE BENEDICTION  
(Siddur R. Saadia Version)

I CHRON. 29.18

חיי עולם נטע בתוכנו  
שנשמור חוקיך בעולם הזה  
ונירש . . . וחיי העולם הבא

שמרה זאת לעולם

יפתח לבנו לאהבתו  
ויתן בלבנו ליראתו

מחשבות לבב עמך  
והכין לבבם אליך

## VI. A SUMMARY OF THE ANALYSIS OF THE LECTIONARY

If the foregoing analysis of the lectionary of biblical verses in *לציון* is valid, then the fact that the underlying tallies are carried through so thoroughly in the version of the lectionary as preserved in Siddur R. Saadia makes it more than likely that the latter has retained not only the original number of verses in the lectionary, but also their original order of succession. For an understanding of the reason why in Seder R. Amram, Mahzor Vitry, and the Italian, Ashkenazic and Sephardic rites, Micah 7.18, 19 is omitted and Ps. 20.10 is shifted to another position, the following explanations may be offered:

1. Not only Micah 7.20, but also Micah 7.18, 19 are indispensable to the lectionary from the standpoint of the needed tallies. When the reason for the inclusion of verses 18 and 19 was no longer recognized, they must have been dropped in the mistaken belief that they were superfluous, since the opening words of Micah 7.20 (חתן אמת) formed a more immediately visible tally with the last words of Ps. 119.142 (ותורתך אמת).
2. As regards the position of Ps. 20.10 in Siddur R. Saadia, the juxtaposition of Pss. 78.38 and 20.10 and the combination, in the order given, of Pss. 46.8 (12), 84.13 and 20.10 are due to the grouping together of favorite companion verses. The former occurs as the introduction to ברכו of the daily evening service,<sup>63</sup> at the end of the יהי כבוד lectionary preceding אשרי in Pesuke de-Zimra, and even more frequently in Siddur R. Saadia.<sup>64</sup> With respect to the combination of Pss. 46.8 (12), 84.13 and 20.10, only the first two of these verses are found grouped together in Yerushalmi Berakot V, ed. Krotoschin, 8d.<sup>65</sup> At the

<sup>63</sup> Cf. Elbogen, *Gottesdienst*, p. 100.

<sup>64</sup> See Mann, *HUCA*, II, p. 302.

<sup>65</sup> ר' חזקיה רבי יעקב בר אחא ר' יסא בשם רבי יוחנן לעולם אל יהא הפסוק הזה זו מתוך פיר' ה' צבאות עמנו משנב לנו אלהי יעקב סלה ר' יוסי בי רב אבין ר' אבהו בשם ר' יוחנן וחבריה ר' ה' צבאות אשרי אדם בוטח בך.

same time, Ps. 20.10 is also joined to Pss. 46.8 (12), 84.13 to form a favorite liturgical combination in the lectionary of verses following הודו לה' קראו בשמו וכו' in Pesuke de-Zimra,<sup>66</sup> and in קריאת שמע על המטה.<sup>67</sup> It would appear, therefore, that the difference between Siddur R. Saadia and the other rituals is one of preference, the former favoring the juxtaposition of Pss. 78.38, 20.10 and the talmudic grouping of only Pss. 46.8 (12), 84.13, and the latter favoring the joining of Ps. 20.10 to Pss. 46.8 (12), 84.13.

It is admittedly difficult to explain the position of Ps. 30.13 as the last verse of the lectionary in the version of Siddur R. Saadia, whereas it constitutes the first verse following the Benediction in Seder R. Amram, Yemen-Maimonides, Mahzor Vitry and the Ashkenazic and Sephardic rites. Despite such a radical divergence, however, Ps. 30.13 is not out of place within the lectionary, where, as the analysis has shown, it fits in with the method of tally employed.

The findings resulting from the analysis of the lectionary of verses in **וּבֹא לְצִיּוֹן** may be summed up as follows. When the need arose to attach the Benediction, originally an independent liturgical composition, to **וּבֹא לְצִיּוֹן**, and to make it an integral part thereof, a lectionary of biblical verses was required which should precede the Benediction. The verses included in the lectionary were not selected and arranged in a haphazard manner. Quite the contrary, they were chosen in accordance with a carefully worked-out plan. Though based on the principle of verbal tally, this plan, in its application, was not merely a superficial matching of words. Primarily, the fundamental aim was to link up, by means of the process of tallying, the lectionary of verses with the Tahanun context, on the one hand, and with the

<sup>66</sup> Seder R. Amram, ed. Warsaw, 27a = S. Assaf, *מספרות הגאונים*, Jerusalem 1933, pp. 82-3.

<sup>67</sup> Seder R. Amram, ed. Frumkin, I, p. 393. See further Baer, *Seder 'Abodat Israel*, pp. 49, 163.

Benediction on the other. It is by means of inner verbal connections that the lectionary and Benediction were made inseparable. And if at the time of Saadia the practice of inserting Psalm 19 between **אשר** and the Benediction met with no objection, it must have been, as was observed, only because that Psalm, too, was in keeping with the theme of the Benediction, namely, Torah.

## VII. THE GROUP OF VERSES FOLLOWING THE BENEDICTION

The verses which follow the Benediction (No. 6 of the component parts of **לציון** ובא) are:

1. Ps. 30.13 למען יזמרך כבוד ולא ידם ה' אלהי לעולם אורך
2. Jer. 17.7 ברוך הגבר אשר יבטח בה' והיה ה' מבטחו
3. Isa. 26.4 בטחו בה' עדי עד כי ביה ה' צור עולמים
4. Ps. 9.11 ויבטחו בכ' יורעי שמך כי לא עזבת דרשך ה'
5. Isa. 42.21 ה' הפץ למען צדקו יגדיל תורה ויאדיר

All except (3) in the above group of verses are found in Mahzor Vitry.<sup>68</sup> The Sephardic rite has (1), (5) and (4) in the order given, to which are added Pss. 8.10, 31.25, the latter two occurring in no other ritual.<sup>69</sup>

Three factors must have determined the selection of the five verses listed above. First, they have the Tetragrammaton in common. Secondly, the word **בטח** in Ps. 84.13, one of the verses in the lectionary preceding the Benediction, suggested (2), (3) and (4) which contain the same root. Lastly, the words **צדקתך צדק** . . . ותורתך in Ps. 119.142, another verse in the lectionary, suggested (5) which contains the words **צדקו** and **תורה**.

That only Siddur R. Saadia places (1) at the very end of the lectionary preceding the Benediction, where it serves its purpose in the process of tallying, has already been noted.

Although (1) occurs also in Seder R. Amram<sup>70</sup> and Yemen<sup>71</sup>-Maimonides, the remainder of the verses, viz. (2) to (5), do not

<sup>68</sup> Ed. Hurwitz, p. 74.

<sup>69</sup> Ed. Gaster, I, p. 50.

<sup>70</sup> Ed. Frumkin, I, p. 317 top.

<sup>71</sup> *Tiklal*, I, 70b.

appear in these. Instead, Ps. 19.15 (יהיו לרצון אמרי פי ונו') is made to follow (1). The inclusion of Ps. 19.15 is understandable, when note is taken of the fact that it is also made use of as a similar concluding verse in a prayer like אלהי נצור<sup>72</sup> at the end of the Amidah, and at the end of the Palestinian Amidah in which אלהי נצור<sup>73</sup> does not occur.

Siddur R. Saadia and the Italian rite are alone in having no verses whatsoever subsequent to the Benediction.<sup>74</sup> In all probability, with the possible exception of Ps. 19.15, no other verses originally followed the Benediction. In which case, since the עלינו prayer was not inserted at the conclusion of the daily service before the year 1300,<sup>75</sup> the original position of the lectionary and Benediction was precisely at the end of the daily morning service.

#### VIII. THE INDEPENDENCE OF THE LECTIONARY AND BENEDICTION OF THE KEDUSHA DE-SIDRA

Having completed the analysis of the lectionary and Benediction, we now propose to consider their relationship to No. 3 of the component parts of ובא לציון, viz. the Kedusha de-Sidra.

The following passage from the Order of Prayers of Maimonides sheds light on the relation of the lectionary to the Kedusha de-Sidra: וכן נהגו העם להתחנן אחר סדר היום בתחנונים אלו ה' אלהי: אברהם יצחק וישראל אבותינו וגו' (סדר היום<sup>76</sup>) and the lectionary (which he calls תחנונים) as intrinsically separate units.

As for the Benediction, even after it was provided with its fixed lectionary and both were attached to ובא לציון, the Benediction continued to be separable from the Kedusha de-Sidra. One need only recall that at the time of Saadia, when the component parts of ובא לציון were already combined to form a unit, the Benediction, in תפלת השחר ליחיד, was detached not only from

<sup>72</sup> Berakot 17a.

<sup>73</sup> Mann, *HUCA*, II, p. 298, n. 71; and p. 296, n. 67.

<sup>74</sup> See note 50 above.

<sup>75</sup> Elbogen, *Gottesdienst*, pp. 80, 524.

<sup>76</sup> Elbogen, *op. cit.*, p. 79.



the lectionary preceding it, but also from the Kedusha de-Sidra.<sup>77</sup> The recitation of the Benediction independently of the rest of **וּבֹא לְצִיּוֹן** was possible, only because it was regarded as inherently unrelated to the Kedusha de-Sidra.

Moreover, the analysis of the lectionary made it clear that it is intimately connected with both Tahanun and the Benediction. But there is no similar connection between the lectionary and the Kedusha de-Sidra. Had such a connection been intended or desired, it would be inconceivable that a verse containing a word like **קְדוּשָׁה**, which is the key word in the Kedusha de-Sidra, should have been omitted from the elaborate process of tallying.

The above considerations can lead to but one conclusion, namely, that the lectionary and Benediction are not, and were never intended to be, related intrinsically to the Kedusha de-Sidra.

For an understanding of the position of the lectionary and Benediction at the end of the daily morning service, it is important to note that periods of study were held not only, as has been observed, at the beginning of a new week, marked by the Haddalah ceremony on Saturday night, and before the commencement of the service each morning of the week, but also, according to a well-known Responsum by R. Natronai, after the conclusion of the daily morning service.<sup>78</sup> Although there is no record that the Benediction was made use of after the period of study following the daily morning service, the fact that it was recited after the periods of study on Saturday night and before the daily morning service makes it more than likely that it was also recited in connection with the period of study subsequent to the daily morning service. At all events, the lectionary and Benediction are reminiscent of the period devoted to study (the **שִׁיעוּר**) after the conclusion of the daily morning service. Specifically, the lectionary of biblical verses in **וּבֹא לְצִיּוֹן** is reminiscent of the *subject* of study, which was Torah, **שֶׁבַעל פֶּה** or **שֶׁבַחכָּת**, while

<sup>77</sup> Siddur R. Saadia, p. 25.

<sup>78</sup> *Teshubot ha-Geonim*, Lyck 1864, No. 90, 28b: **וְאֵחָד כִּי מְקַדְשֵׁן וְעוֹסְקִין** וְאֵחָד כִּי מְקַדְשֵׁן וְעוֹסְקִין. בתורה הרוצה במשנה עוסק הרוצה בתלמוד עוסק וכו'. Cf. L. Ginzberg, *Ginze Schechter*, N. Y. 1929, II, p. 106, line 10.

ברוך אלהינו שבראנו לכבודו וכו' is reminiscent of a benediction which followed the study of Torah. The lectionary, in other words, is the equivalent of the much larger collection of biblical and rabbinic selections in the ברכות השחר, which in the Italian rite is concluded by ברוך אלהינו שבראנו לכבודו וכו'.

Thus at the two opposite poles, namely, in ברכות השחר and at the end of the service, there stand the two liturgical reminders that a period devoted to the study of Torah precedes and follows the Morning Service of the Synagogue.

### IX. THE KEDUSHA DE-SIDRA CONTEXT

The data pertaining to the several stages in the development of the Kedusha de-Sidra context which comprises Isa. 59.20, 21, Ps. 22.4, Isa. 6.3 (+Targum), Ezek. 3.12 (+T.) and Ex. 15.18 (+T.) — Nos. 1, 2 and 3 of the constituent parts of וְבָא לְצִיּוֹן — may be stated as follows:

1. In Sotah 49a the Kedusha de-Sidra is mentioned by name and is placed in the same category with the Kaddish following an aggadic discourse.<sup>79</sup>
2. At the time of the *Targum Sheni*,<sup>80</sup> "the קד' דסידרא formed no part of the regular public service."<sup>81</sup>
3. The Responsum by R. Natronai, which, it will be recalled, refers to a period of study subsequent to the conclusion of the daily morning service, also describes another custom which preceded that period of study and followed the Kaddish after Tahanun. This custom consisted in the reading of a Parashah from the Prophets of approxi-

<sup>79</sup> עלמא אמאי קא מקיים אקדושה דסידרא ואיהא שמיא רבא דאנדרהא. The references to the Kedusha de-Sidra have been assembled by Higger, *Masseket Soferim*, Introduction, pp. 46-7. On the meaning of the word סידרא, see W. Bacher, *Die exegetische Terminologie der juedischen Traditionsliteratur*, II, Leipzig 1905, pp. 134-5.

<sup>80</sup> See Ginzberg, *Ginze Schechter*, II, pp. 74-5.

<sup>81</sup> Ginzberg, *Geonica*, I, p. 130, n. 3.

mately ten verses, after which the Kedusha de-Sidra was recited.<sup>82</sup> This practice was independent of the Haftarah on Sabbaths and holidays. The Kedusha de-Sidra consisted of only two verses, namely, Isa. 6.3 and Ezek. 3.12 (each with its corresponding Targum).<sup>82</sup> After the discontinuance of the custom of reading from the Prophets after Tahanun of the daily morning service, the Kedusha de-Sidra, according to the same Responsum, was retained,<sup>83</sup> and Isa. 59.20, 21 came to be associated with it.<sup>84</sup>

4. In an old Responsum quoted by the author of *Sefer ha-Ittim* mention is made of a similar custom of reading from the Prophets, though not as Maftir, before the Sabbath Minhah Service.<sup>85</sup> This Sabbath afternoon reading from the Prophets was likewise concluded by the recitation of the Kedusha de-Sidra, which, in the Responsum in question, is preceded by Ps. 22.4.<sup>85</sup>

<sup>82</sup> *Teshubot ha-Geonim*, ed. Lyck, 28b: כך מנהג ראשונים מקום שיש שם תלמידי חכמים כשהיו מתפללין ונופלין על פניהם ומקדישין לאחר שעונין אמן יהא שמה וכו' מביאין נביא וקורין בו עשרה פסוקים הן חסר הן יתר... ואח' אומרים וקרא זה אל זה ואמר ומתרגמין... ואומרים ותשאני רוח ומתרגמין אותו כדי לסיים בשבחו של הקב"ה... אותן שני פסוקים (לא עקרו) On the recitation of Isa. 59.20 and Ps. 20 after Tahanun, see Elbogen, *Gottesdienst*, pp. 79-80; Mann, *HUCA*, II, pp. 299-300; and Ginzberg, *Ginze Schechter*, II, 99-100.

<sup>83</sup> *Loc. cit.*: ועקרו לקרות בנביא בכל יום אחר חפלה ואע"פ שעקרו לקרות בנביא אותן שני פסוקים לא עקרו אותם ועדיין קבועים ועומדים ומפני מה לא עקרום שקדושה משלשת היא קק"ק ושלשוהו ג"פ בתפילה.

<sup>84</sup> *Ib.*, 29a top: ובא לציון גואל ואני זאת בריתי אותם לא היו אומרים ואם רצה יחיד: גואל ואני זאת אין בהם משום קדושה לאומרים אין בכך כלום שלא אמרו חכמים לא יהא פחות מעשרה אלא דבר שבקדושה ובא לציון.

<sup>85</sup> *Sefer ha-Ittim*, ed. Schor, Berlin 1902, p. 289: ובנוסחא עתיקתא גלאון חזי: לן דרגילי האירנא למיפסק סדרא בנביא וזהו מה דכתב גאון סידורא דמנחה בשבחה קרי בסדרא בנביא מאי דניחא להו וכר מסיימי קאי שלוחא דציבורא ואמר פסוקי דסוף סידרא וענו בתריה האי פסוקא והדר ואתה קדוש יושב תהילת ישראל וענו בתריה ואתה קדוש והדר קדישתא עד סופא... ומאן דלא רגילין למיפסק סידרא בנביא מקמיה צלותא במנחה וכו' The above text adopts the emendations made by Ginzberg, *Geonica*, II, p. 299, n. 1. On the practice of reading Maftir at the Sabbath afternoon service, see Ginzberg, *op. cit.*, pp. 298-9.

5. According to the author of *Sefer ha-'Ittim*, a period of study (for scholars) after the conclusion of the Sabbath morning service was terminated by some by the recitation of Isa. 59.20, 21 and the Kedusha de-Sidra, followed by קדוּשָׁא דְאַנְדְּרֵתָא.<sup>86</sup>
6. Beginning with Seder R. Amram,<sup>87</sup> all rituals contain the grouping together, in the order given, of Isa. 59.20, 21, Ps. 22.4 and the Kedusha de-Sidra, the latter consisting not only of Isa. 6.3 and Ezek. 3.12, but also of Ex. 15.18 (with Targum Onkelos thereto).

The Kedusha de-Sidra thus had its origin in the custom of reading from the Prophets after Tahanun of the daily morning service and before the Sabbath afternoon service. It was recited after the conclusion of these prophetic readings and, in some quarters, together with Isa. 59.20, 21 preceding, also after a period of study following the Sabbath morning service.<sup>87a</sup>

We must next consider the question why Isa. 59.20, 21 and Ps. 22.4 were especially selected to be attached to the Kedusha de-Sidra. The answer to this question is to be found in the

<sup>86</sup> *Sefer ha-'Ittim*, ed. Schor, p. 281: ולאחר שמשלים ש"צ תפלת המוספין אומר: קדיש ונפטרין העם לבתיהן מיהו נהנו רבנן וכן כל כנסיות דאית בהו בני תורה דלא נפקי מבי כנישתא לאלתר עד דקבעי פירקא ומקדשי עליו קדוּשָׁא דְאַנְדְּרֵתָא ומניהו נמי דנהיגי למירא בתר פירקא ובא לציון ואני זאת בריתי אותם וקדוּשָׁא דְסִידְרָא והדר מקדשי קדוּשָׁא דְאַנְדְּרֵתָא. Schor compares the expression קדוּשָׁא דְאַנְדְּרֵתָא with יהא שמיה רבא דְאַנְדְּרֵתָא in Sotah 49a. The practice of concluding a period of study with Isa. 59.20, 21 has survived in the use of ובא לציון גואל as a favorite with Darshanim in concluding a homiletic discourse. On liturgical traces of a period of study after the Sabbath morning service, see S. Gaguine, *Keter Shem Tob*, Kedainiai 1934, p. 445, n. 495.

<sup>87</sup> Ed. Frumkin, I, pp. 302 and 316.

<sup>87a</sup> The custom of reciting the Kedusha de-Sidra after Ps. 90.17-91.16 on Saturday night, after the Megillah on Purim, and after 'Ekah on Tisha'h be-'Ab, presupposes the fact that the Kedusha de-Sidra also concluded readings from the Hagiographa (cf. Ginzberg, *Geonica*, II, p. 300). It is rather significant that on the above-mentioned occasions Isa. 59.20, 21 is omitted, while it is reserved for inclusion only toward the close of the daily morning service and at the Sabbath afternoon service when readings from the Prophets were once in vogue.

custom which accounts for the origin of the Kedusha de-Sidra. The purpose of reading from the Prophets after Tahanun of the daily morning service and before the Sabbath afternoon service was to afford consolation to the worshipper by means of passages from the Prophets (particularly from the Latter Prophets) to which a messianic interpretation was attached.<sup>88</sup> That this must have been the purpose may be gathered from the traces found of the practice of reading from the Prophets on Sabbath afternoon in the Italian rite, where preceding the regular Sabbath Minhah Service is a miscellany of verses from the Latter Prophets, all of which are of a consolatory-messianic character.<sup>89</sup>

The foregoing observations help to explain the association of Isa. 59.20, 21 with the Kedusha de-Sidra after the discontinuance of the practice of reading from the Prophets. Not only do these two verses belong to a book which is designated כוליה (Baba Batra 14b), but Isa. 59.20 was interpreted to convey the thought that repentance is the pre-requisite for the final redemption (Yoma 86b<sup>90</sup>), and the words ורברי אשר שמתי בפוך in Isa. 59.21 were understood to refer to prophetic utterances (Targum ad loc.<sup>91</sup>). Isa. 59.20, 21 was thus a most suitable com-

<sup>88</sup> Cf. Berakot 34b: כל הנביאים כולן לא נתבאו אלא לימות המשיח.

<sup>89</sup> Ed. Livorno, I, 47b-48a. The introduction appropriately comprises Isa. 58.13, 14 in which mention is made of the Sabbath. Then the following verses are recited: Isa. 52.7; Zech. 9.9; Mal. 3.1, 23, 24a; Jer. 23.5, 6; and Ezek. 37.25-28. It is worthy of note that the number of verses is 10½, exclusive of the two introductory "Sabbath" verses. Cf. Elbogen, *Gottesdienst*, p. 118. The author of *Shibbole ha-Leket* (ed. Buber, Wilna 1886, p. 96) cites, and gives the following reason for, the above practice: נהגו לומר קודם תפלת המנחה פסוקים: של נחמה אם חשיב משבת רגילך . . . ומצינו באגדה שתחילת הגאולה תהיה בשבת בשעת תפלת המנחה על כן נהגו לומר אלו הפסוקים של נחמה. See Ginzberg, *Legends*, VI, pp. 18-19, n. 109 (toward the end).

<sup>90</sup> גדולה תשובה שמקרבת את הגאולה שנאמר ובה לציון נוהל ולשבי פשע ביעקב מה טעם נדולה תשובה שמקרבת את הגאולה שנאמר ובה לציון נוהל משום דשבי פשע ביעקב (ובא לציון נוהל וכו'). Cf. Ginzberg, *Legends*, VI, p. 339, n. 106. "In Rom. XI.26 this utterance of God (i. e., 'ובא לציון נוהל') is cited by the apostle as a Scripture proof for the future restoration of all Israel (Franz Delitzsch, *Biblical Commentary on the Prophecies of Isaiah*, Edinburgh 1910, II, p. 380)."

<sup>91</sup> ופיתגמי נבואת דשויית בפומך. Cf. Ibn Ezra and Kimhi ad loc. On the other hand, in Baba Mezia 85a and Tanhuma, *Noah*, 3, Isa. 59.21 is inter-

panion to the Kedusha de-Sidra, serving as an appropriate specimen of the type of prophetic reading which was once in vogue.

A further factor may have also determined the selection of Isa. 59.20, 21. Besides being used, together with the Kedusha de-Sidra, as observed above, as a consolatory peroration after a period of study subsequent to the Sabbath morning service, these two verses are joined to the Haftarah of the Morning Service of the Day of Atonement (Isa. 57.14-58.14) in Seder R. Amram,<sup>92</sup> as well as in the Yemenite<sup>93</sup> and Italian<sup>94</sup> rites. This phenomenon is comparable to Isa. 47.4, which in all rituals, except the Ashkenazic, is recited after every Haftarah.<sup>95</sup> In addition, therefore, to being a specimen of prophetic reading, Isa. 59.20, 21 was selected owing to its suitability as a consolatory peroration.

The selection of Ps. 22.4 and its position immediately preceding the Kedusha de-Sidra must have been felt to be doubly appropriate. In the first place, containing as it does the words וְאַחַר קְדוּשָׁה, it is in harmony with the theme of the Kedusha de-Sidra which includes the Trisagion. In the second place, in the readings from the Prophets which preceded the Kedusha de-Sidra, David, or a descendant of David, was the central figure of the messianically interpreted prophetic utterances. Hence a verse from the Psalms of David, viz. Ps. 22.4, established a link with the prophetic reading in which the messianic David played a leading role.<sup>96</sup>

preted to refer to Torah. Since, however, the practice of reading from the Prophets, according to the above-quoted Responsum by R. Natronai, was accompanied by the Targum, there can be no doubt that the interpretation placed upon וְדַבְרֵי אֲשֶׁר שָׁמַעִי בִּפְיָךְ was that of the Targum ad loc., viz. "prophecy."

<sup>92</sup> See Marx, *Untersuchungen etc.*, Heb. pt., p. 34 in conjunction with Seder R. Amram, ed. Warsaw, 48a, lines 4-5; cf. ed. Frumkin, II, p. 348. See further *Sefer ha-'Eshkol*, ed. Albeck, Jerusalem 1935-1938, I, p. 172 (bottom) and p. 176; cf. Siddur R. Saadia, p. 369, n. 7.

<sup>93</sup> See ספר כתר תורה הנקרא . . . האג והוא חמשה חומשי תורה, Jerusalem 1894-1899, after Leviticus, 43b.

<sup>94</sup> See the Pentateuch edition ספר אור תורה, Livorno 1922, after Leviticus, 143b.

<sup>95</sup> Elbogen, *Gottesdienst*, p. 181.

<sup>96</sup> Ginzberg, *Legends*, VI, p. 265, n. 94 posits the question: "Did the Haftarah, in olden times, close with a passage from the Psalms?" If so, a verse like Ps. 22.4 appropriately closed a reading from the Prophets.



The addition, in all rituals since Seder R. Amram, of Ex. 15.18 to the Kedusha de-Sidra, now calls for comment. The explanation generally given is that "the occurrence of Ex. 15.18 instead of Ps. 146.10 points to the time before the existence of a Targum to the Psalms that could be drawn upon as official and generally recognised."<sup>97</sup> Another explanation, however, may be proposed. Before the addition of Ex. 15.18, only two divisions of Scripture were represented in the Kedusha de-Sidra context, namely, the Prophets (Isa. 59.20, 21; *ib.* 6.3; and Ezek. 3.12) and the Hagiographa (Ps. 22.4). By adding, therefore, Ex. 15.18, the three divisions of Scripture are represented.

After completing the analysis of Isa. 59.20, 21, Ps. 22.4 and the last verse of the Kedusha de-Sidra, a survey of all of these in combination reveals the fact that, although the custom of reading from the Prophets after Tahanun of the daily morning service and before the Sabbath afternoon service was, as pointed out, independent of the Haftarah on Sabbaths and holidays, the grouping together of Isa. 59.20, 21, Ps. 22.4 and the Kedusha de-Sidra exhibits striking affinities with the Haftarah context. These affinities may best be shown by means of the following comparative table:

THE HAFTARAH CONTEXT	THE KEDUSHA DE-SIDRA CONTEXT
1. The benediction preceding the Haftarah, in which the latter is linked up with the Reading of the Torah which immediately preceded: ... הבוחר בתורה... ובנביאי האמת וצדק	A verse from the Pentateuch: Ex. 15.18.
2. The reading of the Haftarah	A prophetic passage: Isa. 59.20, 21.

<sup>97</sup> D. de S. Pool, *The Jewish-Aramaic Prayer the Kaddish*, Leipzig 1909, p. 8, n. 39; cf. Elbogen, *Gottesdienst*, p. 63.

3. The recitation (in all rites, except the Ashkenazic) of Isa. 47.4: ובא לציון גואל  
(Isa. 59.20)  
 גאלנו ה' צבאות שמו קדוש ישראל and  
ואתה קדוש  
(Ps. 22.4)
4. The concluding benedictions The Kedusha de-Sidra.<sup>98</sup>
- a) The theme of the first concluding benediction is of a general nature, namely, the hoped for fulfillment of the prophecies read in the Haftarah: ודברי אשר שמתי בפיו  
(Isa. 59.21)  
 שכל דבריו אמת וצדק... ונאמנים דבריו ודבר אחד מדבריו אחר לא ישוב ריקם... האל הנאמן בכל דבריו
- b) The specific theme of the second closing benediction is the fulfillment of the prophecies pertaining to the restoration of Zion: ובא לציון גואל  
(Isa. 59.20)  
 רחם על ציון... משמח ציון בבניה
- c) The specific theme of the third closing benediction is the fulfillment of the prophecies pertaining to the advent of Elijah, the precursor of the Messiah, and the reconstitution of the Davidic dynasty in the messianic era: A verse from the  
Psalms of David  
(Ps. 22.4).  
 שמחנו ה'א באליהו הנביא עבדך ובמלכות בית דוד משיחך... מגן דוד

<sup>98</sup> Ginzberg, *Geonica*, II, p. 299: "(דסדרא) קדושא corresponding to the Maftir's Benedictions after the Prophetical lesson on Sabbaths and holidays."

In terms of the Haftarah context, therefore, the component parts of the Kedusha de-Sidra context serve the following purposes:

- A. Isa. 59.20, 21 is the equivalent of the Haftarah.
- B. Isa. 59.20 with its reference to Zion corresponds to the second benediction after the reading of the Haftarah, whose theme is the restoration of Zion.
- C. Isa. 59.20, with its reference to the redeemer, and Ps. 22.4, with its reference to God's holiness, correspond to the recitation of Isa. 47.4 after the Haftarah, in which God is spoken of as Redeemer and as Holy.
- D. Isa. 59.21, containing the words ודברי אשר שמתי בפֿיך which were interpreted to mean "prophetic utterances," is the equivalent of the first benediction following the reading of the Haftarah, whose theme is the hoped for fulfillment of the prophecies read in the Haftarah.
- E. The verse from the Psalms of David (22.4) is to the Kedusha de-Sidra context what the "Davidic" benediction is to the Haftarah context.
- F. The Kedusha de-Sidra is the counterpart of the benedictions subsequent to the reading of the Haftarah.
- G. The verse from the Torah (Ex. 15.18) in the Kedusha de-Sidra corresponds to the benediction preceding the reading of the Haftarah, in which the latter is linked up with the Reading of the Torah which immediately preceded.

In sum, the **ובא לציון** composition in the liturgy preserves the memory of two once prevalent customs. The memory of the custom of reading from the Prophets after the conclusion of the daily morning service and before the Sabbath afternoon service

is preserved in Nos. 1, 2 and 3 of the component parts of **ובא לציון**. The memory of the period of study following the reading from the Prophets subsequent to the daily morning service is preserved in Nos. 4 and 5 of the constituent parts of **ובא לציון**. The Kedusha de-Sidra, which, together with Isa. 59.20, 21, was also recited after a period of study subsequent to the service on Sabbath morning, corresponds to the benedictions following the reading of the Haftarah. In the **ובא לציון** composition in the Prayer Book, the Kedusha de-Sidra is to its antecedent parts (Isa. 59.20, 21 and Ps. 22.4) what **ברוך אלהינו שבראנו לכבודו וכו'** is to the lectionary which precedes it.



# THE ORIGIN OF THE EIGHT MODES OF MUSIC ( OCTOECHOS )

To Dr. Curt Sachs, Teacher and Friend

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## A Study in Musical Symbolism

ולמה נקרא שמו נבל, שהוא מנבל (מלבין) כל מיני זמר; אמר  
ר' יהודה ב' אלעאי וכמה נימין יש בכנור שבע שנאמר. שבע  
ביום הללחיד' ולימות המשיח שמונה, שנאמר. למנצח על  
שמינית' — (Midrash Tehillim, Ps. 81.9).

Socrates: Then, if these and these modes are to be  
used only in our songs and melodies, we shall not  
want multiplicity of notes or a panharmonic scale. —  
Plato, *Republic*, Book III.

Die tiefsinnige Wahnvorstellung kam zuerst in der  
Person des Socrates zur Welt, jener unerschuetter-  
liche Glaube, dass das Denken, an dem Leitfaden  
der Causalitaet, bis in die tiefsten Abgruende des  
Seins reiche, und dass das Denken das Sein nicht  
nur zu erkennen, sondern sogar zu *Korrigieren* im  
Stande sei. Dieser erhabene metaphysische Wahn  
ist als Instinkt der Wissenschaft beigegeben und  
fuehrt sie immer und immer wieder zu ihren Gren-  
zen, an denen sie in *Kunst* umschlagen muss: *auf  
welche es eigentlich bei diesem Mechanismus abge-  
sehen ist.* — Nietzsche, *Die Geburt der Tragoedie  
aus dem Geist der Musik.*

### I

THE existence of modes in the music of all Oriental cultures  
is a well-known fact. Their superimposition upon Occidental  
music through the chants of the Roman Church was an event  
of far greater weight than is generally recognized. Since this  
development took place under the various mantles of music,  
theology, philosophy, and mathematics, aside from the truly  
overwhelming consequences it has wrought upon the history of



music, it has left its traces throughout Western civilization in manifold ways.

While the general principle of modality is an organic outgrowth of Oriental Life,<sup>1</sup> it is the selection of and limitation to eight modes, which have played so important a part in musical tradition, that confronts the student with some fundamental problems. Not only do these eight modes vary from country to country, from liturgy to liturgy, and from age to age, but there is ample reason to doubt their actual existence as a phenomenon, outside of a *posteriori* constructions by medieval theorists. Recently some scholars have even reached the conclusion that in many cases the categorization of an individual tune under one of the eight general modes was an act of artificial and rigid systematization rather than one of simple classification.<sup>2</sup>

It is our conviction that the principle of eight modes is one of the oldest attempts of mankind to organize the chaotic and to select with discrimination. It will be the task of this study to explore the origin of the eight modes and to show how much or how little the idea of an eight-fold modality has been in accordance with the actual practice of notated music.

Since the idea of modality has found many expressions in many languages, in the course of twenty-five centuries a great deal of confusion has resulted from the wide variance in the terms used for the word "mode". It will, therefore, be useful, to examine briefly the terminology of the issue. This can be done here only in a summary way; when we study the individual sources, the terms involved will be discussed extensively.

Hebrew Terms:	n'ginah, niggun, ta'am, ne'imah, laħan (Arab.)
Greek Terms:	tonos (?), tropos (?), eidos (?), harmonia, nomos
Latin Terms of the MA:	tonus, modus, tropus, modulatio

<sup>1</sup> Cf. R. Lachmann, *Die Musik des Orients*, Breslau, 1929, pp. 9, 38, 60-63.

<sup>2</sup> "The so-called ecclesiastical modes are post-factum constructions of the theorists"; (E. Wellesz, *Eastern Elements in Western Chant*, London, 1947, p. 31); in the same vein Gustave Reese, *Music of the Middle Ages*, pp. 74 ff.

Byzantine Terms:	echos, octoechos (8 modes), tropos
Arabic Terms:	naghm, ghina', anwa', maqam
Syriac Terms:	qala, 'ikhadia (from Byzant. octoechos)

Since the so-called Church-Tones, today a system of scales, have been as often confused with genuine modes as, vice versa, the ancient Greek and Byzantine modes with certain scales or "species of octaves," it will be necessary to investigate first the possibility that there is a genuine connection between octave scale, and mode. Only when we shall have arrived at a clear distinction will it be possible to trace the various systems of modality. The tangle of the terminology concerning modes and modality is truly unbelievable. Each century and its writers added to, and increased, the confusion. Only in the last fifty years a group of scholars have, through their profound studies in this field, been able to clear up a good deal of the accumulated maze. There is no need here to discuss in detail the methods that they applied to the solution of the tangle: let it suffice to set down the main results of their efforts. The most important contributions to the better understanding of the terminological problem came from the following scholars: H. Riemann,<sup>3</sup> A. Gastoué,<sup>4</sup> Dom Jeannin,<sup>5</sup> P. Wagner,<sup>6</sup> C. Sachs,<sup>7</sup> O. Gombosi,<sup>8</sup> and E. Wellesz.<sup>9</sup> In the following paragraphs we cite briefly their main conclusions with reference to the respective terms:

*Octave:* A clear distinction should be made between the octave as an acoustical relation 1:2 — between the fundamental tone and the first overtone, on the one hand, and the octave as designing the range of a diatonic scale, on the other. This

<sup>3</sup> Cf. Riemann-Einstein, *Musiklexikon*, art. "Griechische Musik."

<sup>4</sup> Amedé Gastoué, *Les Origines du Chant Romain*, p. 134.

<sup>5</sup> Dom Jeannin, *Melodies liturgiques syriennes*, I., p. 98 ff.

<sup>6</sup> Peter Wagner, *Gregorianische Melodien*, III, pp. 107-8.

<sup>7</sup> Curt Sachs, *The Rise of Music in the Ancient World*, pp. 66-69, 216 ff.

<sup>8</sup> Otto Gombosi, *Studien zur Tonartenlehre des Fruehen Mittelalters*, in *Acta Musicologica*, X, pp. 149-73.

<sup>9</sup> Egon Wellesz, *Aufgaben und Probleme auf dem Gebiet der orientalischen und byzantinischen Kirchenmusik*, Muenster 1923, p. 101 ff.

distinction was sharply established by Riemann and this writer.<sup>10</sup>

*Species of Octaves (Oktavengattung)* The Ancient Greeks developed a system of scales with subsequent divisions into transposed keys. Sachs has shown, in irrefutable manner, that the terms "scale" and "key" are by no means interchangeable. The scales, themselves, bore certain regional names such as Dorian, Phrygian, etc.<sup>11</sup> The *Oktavgattungen* never, originally, had the function of tonal categories in the sense of modalities.<sup>12</sup>

*Tropus*: In Ancient Greek theory, this is a species of octaves but not *modus* or *harmonia*.<sup>13</sup> Sachs and Gombosi interpret it similarly.<sup>14</sup>

*Modus*: In Roman Church theory, the system of Church-tones was based upon certain psalmodic paradigms and later was mistakenly confused with species of octaves (*tropi*), etc. Gombosi has demonstrated that, up to the 10th Century of our era, the Church-tones were, in no way, connected with the species of Octaves.<sup>15</sup>

*Echos, Octoechos*: Today, this is the Byzantine system of eight Church-tones, but, originally, it was a liturgical designation of eight individual melodic patterns, each of which was used for one of eight Sundays.<sup>16</sup> The system is older than that of the Roman Church-tones. It represents best what is today understood as a musical mode.

*Church-tone*: This was originally a system of eight Psalm-tones, but it was later confused with the octave species. Today it

<sup>10</sup> Hugo Riemann, *Handbuch der Musikgeschichte*, I, cap. 2; also E. Werner, "The Sources of Octave and Octoechos," in *Acta Musicologica*, 1948.

<sup>11</sup> Cf. Sachs, *op. cit.*, p. 216-218.

<sup>12</sup> Cf. Gombosi, *op. cit.*, p. 149 ff.

<sup>13</sup> Antoine Auda, *Les Modes et Tones de la Musique*, Bruxelles, 1930.

<sup>14</sup> Cf. Gombosi, *op. cit.*, p. 149.

<sup>15</sup> Ibidem.

<sup>16</sup> Cf. P. Wagner, *op. cit.*, p. 88 ff; also E. Wellesz, (n.9), p. 101.

is used in the meaning of the various species of octave-scales as employed and classified in the Gregorian Chant.

*Contrafact (Nomos?)*: This is a stylized melodic type, which, in the course of time, becomes adaptable to various texts. Thus, the slightly paraphrased tune of "God Save the King" is, as it were, the *nomos* of "My Country, 'tis of Thee", the latter one being a mere contrafact of the former.

This study examines the history and basic function of the principle of eight modes. For brevity's sake, we shall use for the principle of eight-fold modality the term *Octoechos*, but without its specifically Byzantine connotation. The Medieval theorists invariably derived the number eight of the Octoechos from the number of tones within the range of a diatonic octave. In spite of all efforts of recent scholarship, the real origin of that enigmatic eight-fold modality has not been explained as yet. The less so, since these eight modes are by no means identical in the various musical cultures. It will, therefore, be necessary to study first the question, whether, notwithstanding all the misunderstandings of the old theorists, there was not originally a connection between the eight tones of the octave and the eight modes of the Octoechos.

## II

The term *octave* designates today two entirely different things: a) as stated previously, the acoustic relation between a fundamental tone and its first overtone, the mathematical ratio being 1:2. b) The second meaning of the word octave applies to its being the eighth, or more correctly expressed, the seven-plus-one tone of the diatonic scale. Today both functions are perfectly identical, and it would be unreasonable to distinguish between them. Yet this identity was not always valid as it is not valid everywhere even today. The two functions have a different history and a different origin. The theoretical conception of the octave 1:2 is generally ascribed to Pythagoras by Nicomachus,<sup>17</sup>

<sup>17</sup> Nicomachus, ch. 6, in V. Jan., *Musici Scriptores Graeci*, Leipzig, 1895, p. 249.

Gaudentius,<sup>18</sup> Jamblichus,<sup>19</sup> Philolaos,<sup>20</sup> and all of their commentators. According to the legend, Pythagoras discovered the relation between music and number in a blacksmith's shop, where he noticed that a heavy hammer produced a lower tone than a lighter one. This led him to invent the monochord, by which device he established the ratio of the octave and that of most of the other intervals. This intuition was glorified by most of the chroniclers of ancient music.

Yet, there exists another much older version of that famous discovery which reaches deep into the realm of mythology. Ancient Phrygian chroniclers tell us that the great Asian goddess Rhea Cybele, the *Magna Mater* or *Bona Dea* of the Romans, employed dwarfs (*daktyloi*) in her services, skilled masters of all crafts.<sup>21</sup> These gnomes discovered in the rhythm of their hammers and in the different tones of their anvils the essence of all music, namely — the mathematical basis of rhythm and tone. For about twenty years we have had positive knowledge that Cybele, called Kumbaba, belonged to the ancient Hittite Pantheon. The goddess of fertility was adored long before the time of King Hattushiliš, the contemporary of King Ramses II of Egypt. Before that time, the 13th Century B. C., the Hittites had built a mighty empire which reached from North-East Mesopotamia down to Egypt. They were a non-Semitic, probably an Indo-European people, but used the Akkadian cuneiform script of their neighbors.<sup>22</sup>

The obvious resemblance of the two legends proves that the Pythagorean conception of the relation between music and num-

<sup>18</sup> Gaudentius, in v. Jan, *op. cit.*, p. 340.

<sup>19</sup> Jamblichus, *In Vita Pythagorae*, ed. Kuester, 18, #81.

<sup>20</sup> "Philolaos," in A. Boeckh's *Philolaos des Pythagoraeers Lehre*, Berlin 1815, Fragm. 5.

<sup>21</sup> In Gressmann, *Die orientalischen Religionen im hellenistisch-romischen Zeitalter*, p. 59; cf. also Stith Thompson, *Motif Index of Folk Literature*, III, p. 100, "Dwarfs have Music"; also Grimm, *Deutsche Mythologie*, v. "Daeumlinge-Daktyloi"; also Strabo, lib. X "Studium musicum inde coeptum cum Idaei dactyli modulus crepitus et tinnitu aeris — in versisicuum ordinem transtulissent."

<sup>22</sup> Cf. E. Benveniste in *Melanges Syriens* I., p. 250 ff.

ber is of ancient Asiatic origin. Heretofore it was considered to be a Mediterranean rather than an Asiatic legacy, although at least Porphyry must have known the ancient tradition, for he states that Pythagoras learned the secret of music from the *daktyloi*.<sup>23</sup> In passing, it may be noted that the legend of the musical gnomes might enable us to understand better certain rather strange pictures of Sumerian musicians, who looked very much like dwarfs.

The Hittites are memorable in musical history for another even more important reason: to my knowledge they were the first ones who, admittedly, in obscure language, alluded to the existence of eight musical modes. My colleague Professor Julius Lewy, who gave me his kind assistance in deciphering certain cuneiform Hittite texts, has offered the following translation of one of them:

"Know that if thou offerest hymns to the Gods with the help of little *Istar* (a musical instrument), it is best to do this eight-fold." (or in eight ways or hymns). (KBo IV-KUB XI).

What does this enigmatic precept indicate? Either to chant one hymn eight times, or to offer eight hymns to please the Gods. For the present we shall leave the question unanswered; we shall return to it later.

What do we know about the octave being the eighth tone of the diatonic scale? The oldest literary source which clearly divides the octave into eight tones seems to be Euclid.<sup>24</sup> It can be safely assumed, however, that long before his time the division of the octave interval into eight tones was familiar to Greek musicians. It is again characteristic that Pythagoras is accredited with the addition of the eighth tone to the former heptachord. This statement comes from so many sources that it merits brief consideration. Nicomachus tells us that Pythagoras added the eighth string to the lyre, which heretofore had had only seven.<sup>25</sup> Philo-

<sup>23</sup> Porphyrius, *Vita Pythagorae*, ch. 17, (English in K. S. Guthrie, *Pythagoras sourcebook*, 1919, not fully reliable!)

<sup>24</sup> Cf. Euclid, *Sectio Canonis*, in v. Jan., *op. cit.*, p. 165 ff. Also I. Duering, *Ptolemaios und Porphyrios ueber die Musik*, Goeteborg 1934, p. 64.

<sup>25</sup> Nicomachus, chs. 5 and 7, in v. Jan., *op. cit.*, pp. 244, 249.



laos also refers to that great invention of the eighth tone,<sup>26</sup> and Gaudentius remains in character and confirms the prior observations.<sup>27</sup> With the exception of Euclid, all these remarks are couched in intentionally obscure, almost mystical, language.

Let us remember here again that the *acoustic* octave was long in existence before it was identified with the eighth tone of the scale. This fact emerges from the frequent references to older scales such as Terpander's heptachord.<sup>28</sup> While praising the simplicity and economy of Terpander, Plutarch attempts to explain that Terpander, by the omission of one or two tones of the diatonic scale, obtained especially fine results.<sup>29</sup> This sounds very much as if one would say: "I do not want to spend so much money; it is not that I do not have it, but, by saving it, I will be able to buy even better things." Nor can we believe Plutarch's argumentation, since Nicomachus, quoting Philolaos, a much older witness than Plutarch, calls the old seven-tone scale Terpandrian and pre-Pythagorean.<sup>30</sup> There is no doubt that the old heptachord scale has left traces in the music of Asia and Europe; it occurs in a form practically identical to Plutarch's so-called *tropos spondeiakos*, a heptatonic scale, in Hebrew, Byzantine and Gregorian chant.<sup>31</sup> In passing it should be noted that the Greek term for octave, *dia pason*, does not say anything about the number of tones which go to make up the interval, and it is only so recent a source as Pseudo-Aristotle that elucidates the question, whereby reference is made again to the old seven-tone scale.<sup>32</sup> Our first conclusion, then, must be that the mathematical ratio of the octave interval 1:2 is an ancient Asiatic invention which preceded Pythagoras by at least 900

<sup>26</sup> The Philolaos-quotation, in *Hagiopolites Ms*, ed. A. J. Vincent, (Notices et extraits), Paris 1847, p. 270.

<sup>27</sup> Gaudentius, *Harmonike Eisagoge*, ed. Meibom, p. 14.

<sup>28</sup> Ps.-Euclid, *Introductio Harmonica*, (Cleonides), ed. Meibom, p. 19; also Ps. Aristotle, *Problemata* cap. 19, in v. Jan., *op. cit.*, p. 94, probl. 32.

<sup>29</sup> Plutarch, *De Musica*, ch. 11, ed. Reinach-Weil, p. 74 f.

<sup>30</sup> Nicomachus, ch. 12, in v. Jan., *op. cit.*, pp. 263/4.

<sup>31</sup> Cf. my study "The Attitude of the Early Church-Fathers to Hebrew Psalmody" in *Review of Religion*, May 1943, p. 349 ff.

<sup>32</sup> Ps. Aristotle, *Problemata*, in v. Jan., *op. cit.*, p. 94, probl. 32.

years. The identification of the octave interval 1:2 with the eighth tone of the diatonic scale seems to have taken place at the time of Pythagoras or not long before. Now the question arises: why did it have to be the number eight which designated the octave? In other words: Why was the interval 1:2 divided into *eight* unequal steps? The historic importance of this problem is obvious, for out of this eight-fold division our present diatonic scale was brought into being.

It has already been acknowledged by some scholars that purely acoustic reasons could not have caused this particular division; pentatonic, hexatonic, heptatonic divisions are also in evidence, not to mention the divisions into smaller fractions such as the chromatic scale, the Hindu, Chinese, and other Eastern systems. We must search for other than acoustic reasons.

To begin with, the number eight was considered by the Pythagoreans to be the perfect number for music.<sup>33</sup> But this bare fact explains nothing; for it might be argued that since Pythagoras made the acoustic octave the eighth tone of the scale, it was but natural that his followers should have regarded the number eight as the ideal number in music. Therefore, we must look for essential corroboration in older sources. Throughout the ancient Near-East the number eight holds the significance of the musical number *par excellence*. We remember now the enigmatic Hittite injunction, demanding hymns in the eightfold; moreover, in three of the four recently rediscovered Babylonian tablets with a cuneiform type of notation — the latest one I have not seen as yet — the columns are all arranged in seven lines plus one. For Professor Curt Sachs this constitutes a special triumph, since today it is generally accepted by Assyriologists that these tablets represent some kind of notation even though not exactly that tone by tone system which Professor Sachs originally proposed and later withdrew.

From here on we turn to the Hebrews; one of their Psalms bears the superscription: *ban'ginot 'al hashminit*<sup>34</sup> which is usually rendered "on Neginot upon Sheminit," a translation

<sup>33</sup> *Theologoumena Arithmetica*, ed. Ast., p. 62, 17-22.

<sup>34</sup> Ps. 6.1.

which contributes nothing to our understanding of the text. The usual interpretation of *Sheminit* as meaning "the eighth," tends to produce titles like "tunes in the octave," or "upon an instrument with eight strings," like kithara or lyre; this sounds more acceptable since, in another passage, mention is made of "kitharas upon the eighth,"<sup>35</sup> whatever that means. Neither interpretation is very satisfactory to musicians. There is, however, an old Rabbinic explanation of the passage in question, probably of the 6th century C. E., which we must not disregard. R. Saadia Gaon, quoting an older Rabbinic authority in Arabic, writes:

"This is a hymn of David, in which the regular singers of the Temple were ordered to praise God in the eighth *laḥan*" (the Arabic term for mode). He continues: "The expression '*al hashminit*' demonstrates that the Levites used eight modes so that whenever one of their regular groups sang, it did so according to a single mode."<sup>36</sup>

<sup>35</sup> I. Chron., 15.20.

<sup>36</sup> Saadias *Psalmuebersetzung*, ed. Galliner, p. 22; comprehensively treated in Werner-Sonne, "Philosophy and Theory of Music in Judae-Arabic Literature," (henceforth W-S), in *HUCA*, vol. 16, 1941, p. 295 ff.

While this article is going to print, I read the following remarks in M. Zulay's fine study "A Plea for a 'Corpus of Genizah Piyyutim'" (in the *Journal of Jewish Studies*, Vol. I, #2, pp. 113-114, London 1948).

"These characteristics of Saadyah's style are again clearly discernible in the following lines of the "*Ofan*":

אָנלַת לַהֲטַח קָרַח צִרְתָּה רִקִּיעַ הַשְּׁמִינִי  
בְּחִרְתָּה מִמְּצִילֵי שְׁמוֹנָה נְגִינֹת עַל הַשְּׁמִינִי

The meaning of the first line is: "Thou createdst the eighth heaven from the ice of fire and water."

Line 2: "Thou selectest from among the eight choirs the melody of the eighth" can be understood only in the light of Saadyah's commentary on Ps. 6, in which he explains that there were eight melodies in use in the Temple, each of which was assigned to a separate section of the Levites. But he does not mention there that the eighth section was the most important, and I am unable to indicate a source for this assertion."

Why the eighth section (more correctly "mode") was the most important is explained in the subsequent paragraph of this study. The juxtaposition of eight heavens and the eight modes will be encountered to an amazing extent later on in the gnostic Christian literature.

A similar remark comes from R. Petachya (12th Century), who reports that the Jews of Baghdad, in accordance with the term '*al hashminit*', used eight modes for the chanting of the Psalms.<sup>37</sup>

In these cases the number eight had nothing to do with the octave or the diatonic scale. This is evident from the fact that the Arabs and Jews employed a system of eight *rhythmic* modes besides the melodic ones; obviously the number eight was artificially imposed upon this rhythmic system for there is no equivalent to the octave in rhythm.<sup>38</sup> But this is, by far, not the only occasion where the Psalms stress the number eight in connection with music.

Ps. 119, an alphabetic acrostic, provides eight verses for every letter; some of these eight line stanzas were sung at the Second Temple. If this fact already induces us to think of musical modes, the principle of modality is, in a religious manner, much more strongly evident in the ancient commentaries to Ps. 29. The text of that Psalm contains the expression "The voice of God" seven times. This was understood very clearly to be an allusion to the harmony of the spheres. Ibn Latif, a mystically inclined philosopher, writes thus:

"The science of music envisages eight melodic modes which differ from each other because of their expansion and contraction . . . The eighth mode functions as a genus which comprehends the other seven modes . . . The Psalmist has cryptically alluded to this by means of the number seven in the repetition of the term "God's Voice" . . . while the phrase 'All say Glory' (Ps. 29.9) refers to the eighth mode which comprises all the others. I cannot explain any further . . ."<sup>39</sup>

This kind of mystic musical emphasis upon the number eight reached its peak in the first two centuries of the Christian Era under the aegis of a powerful gnostic movement which tried to combine all of the prevailing ideas of Greek as well as Oriental philosophy in one great synthesis. Indeed, the entire concept of

<sup>37</sup> Text and translation in *Literaturblatt des Orients*, IV, col. 541, n. 44.

<sup>38</sup> W-S, *op. cit.* HUCA, vol. 16, p. 297 ff.

<sup>39</sup> W-S, *op. cit.* HUCA, vol. 17, 1943, p. 552.

Christianity may be viewed as such a universal synthesis. Of the many relevant passages, only two will be quoted:

1. From the apocryphal acts of St. John — Christ's hymn to his disciples.

"... I would be thought, being wholly thought. Amen.

I would be washed, and I would wash. Amen.

Grace (*charis*) danceth. I shall pipe; dance ye all. Amen.

I would mourn; lament ye all. Amen.

The number eight (*Ogdoas*) singeth praise with us. Amen."<sup>40</sup>

This piece originated in the end of the Second Century. In it the *Ogdoas* has attained divine significance; but what is its place in the gnostic system? This is explained about two centuries later in one of the magic papyri, the so-called Eighth Book of Moses. I quote from it:

2. . . "Stored up in it is the Omnipotent Name, which is the *Ogdoas*, God, who creates and administrates everything . . . . Only by oracle may the Great Name be invoked, the *Ogdoas* . . . . For without Him nothing can be accomplished; keep secret, O disciple, the eight symbolic vowels of that Great Name."<sup>41</sup>

To our surprise we encounter here the famous gnostic vowels as an invocation of the *Ogdoas*; these vowels have already provided some interesting clues to the notation of early Christian music as it has been interpreted by Ruelle, Poirée and Gastoué. These are seven or eight vowels representing either tones or modes. But even this unexpected supplement does not fully clarify the significance of the *Ogdoas* for music. The first definite clue comes from a strictly theological source. Tertullian, the West-Roman Church Father, writes in his polemic against certain gnostic sects:

"According to them, the Demiurg, (creator) completes the seven heavens with his own throne above all. Hence he had the name of Sabbatum from the hebdomadal nature of his

<sup>40</sup> *The Apocryphal New Testament*, ed. Montague Rh. James, Oxford 1924, p. 253.

<sup>41</sup> *Papyrus Magicus Leyden W*; quoted from A. Dieterich, *Abraxas*, p. 194.

abode; his mother, Achamoth, has the title Ogdoasa after the precedent of the primeval Ogdoas."<sup>42</sup>

At first this sounds like a wildly syncretistic fantasy; yet it contains two very ancient conceptions: the seven heavens, above which the Almighty has his throne, and the calendaric term *Sabbatum*.

The dependence of this passage on Pythagorean musical-cosmological ideas and the Semitic calendar is obvious; indeed, the Syrian Pythagorean, Nicomachus, writes in similar terms, substituting "star" or "planet" for "heaven."<sup>43</sup> Similar statements are common to most of the Pythagoreans. We are, however, confronted again with the most important question: why it was the number eight that assumed so predominant a place in the musical, theological, and cosmological ideas of Near Eastern Hellenism? The Arabs were the first ones to raise this question in blunt terms, but their answer is not fully satisfactory. It says:

"Eight is the perfect number for music and astronomy; there are eight stations of the moon, five planets plus sun, moon and earth, eight modes of music corresponding to the eight moods of nature: hot-wet, cold-dry, cold-wet, and hot-dry."<sup>44</sup>

Since this source originated in the Ninth Century, it is burdened with the full load of Neo-Pythagoreanism which found many adepts in Arabic literature. We must go back many centuries if we hope to find pre-Pythagorean explanations. It is here, precisely, that the ancient calendar of the Near East provides the decisive clues. As Professor and Mrs. Lewy have demonstrated in a learned study, the Sumerians, Akkadians and other ancient nations of West Asia originally used the so-called Pentacontade Calendar. Its unit is not the month, but a period of seven weeks plus one day, i. e. fifty days. Their years consist of seven Penta-

<sup>42</sup> Tertullianus, "Contra Valentinianos," in *Ante-Nicean Fathers*, vol. III, p. 514. Cf. *supra* n. 36.

<sup>43</sup> Nicomachus, in v. Jan., *op. cit.*, p. 241.

<sup>44</sup> Cf. *Ikhwan es-Safa*, ed. Dieterici, pp. 128-131.



contades (350 days) plus fourteen intercalated days.<sup>45</sup> The origin of the Pentacontade Calendar rests with the conception of seven seasons and seven winds. Each wind corresponds to a God. Over these seven Gods there ruled a supreme deity, later called by the Gnostics the Ogdoas. This brings to mind again the Hittite passage referring to the eight hymns.

Remnants of this calendaric system have survived in both the Jewish and Christian traditions. The period between Easter and Penetecost is such a Pentacontade; originally the Lent period likewise covered fifty days. Of all the Christian Churches, the East-Syrian Nestorians have retained most of it. Up to the present day they use four Pentacontades: one for Lent, one after Easter, one after Pentecost and one extending from the first Sunday in November until Christmas.

The *liturgical* Octoechos, composed or redacted by Severus of Antioch at the end of the 5th Century, was nothing but a hymn book for the eight Sundays of the seven weeks after Pentecost.<sup>46</sup> Baumstark and other prominent Syrian scholars have proved beyond any doubt that the *musical* Octoechos was only an arrangement by which the hymns were sung according to a different mode on each of the eight Sundays of the Pentacontade. This development occurred at the end of the 7th Century, the eight modes naturally corresponding to the eight Sundays of a Pentacontade. These were the modes of the musical Octoechos of the Eastern and Western Churches, of the Armenians no less than of the Ethiopians and the Hebrews. It is not necessary here to repeat the history of the Octoechos; Baumstark and Jeannin have explored the matter from the philological as well as from the musical point of view.<sup>47</sup> From all the sources the fact emerges that the Octoechos is but an-

<sup>45</sup> Hildegard and Julius Lewy, "The Origin of the Week," in *HUCA*, vol. 17, 1943, pp. 41, 45, 47, 99-101.

<sup>46</sup> A. Baumstark, *Festbrevier und Kirchenjahr der syrischen Jakobiten*, pp. 44, 26.

<sup>47</sup> Cf. Dom Jeannin, *Melodies liturgiques syriennes*, Paris, 1924-28, (henceforth Jeann M), pp. 85-94; also Baumstark, *op. cit.*, p. 26, et passim; idem, *Geschichte der syrischen Literatur*, p. 190; also *Patrologia Orientalis*, vols. VI and VII (*The Octoechos of Severus of Antioch*), ed. Brooks.

other of the numerous indications that Liturgy, Calendar and Music have stood in an inseparable and millenia-old relationship with each other. While the old rule prescribes that the eight Sundays should run the gamut of all the eight modes, no provision was made for the clear identification of the *finales* of the musical Octoechos with the eight tones of the diatonic scale. Byzantian theory shows the consequences of that identification with the eight species of octaves since the famous Hagiopolites MS. of the 13th Century. At any rate, the Pentacontade Calendar solves the riddle of the eight modes.

It remains for us only to sketch the development in the theory of the Middle Ages during which the "dissecta membra," viz. the acoustic octave, the eighth tone of the scale, and the eight modes were interlaced. Many of the accomplishments of ancient culture were lost during the storms and migrations which accompanied the decline of the Roman Empire. That which has survived was either misunderstood or distorted and was, in most cases, falsely provided with the halo of classic Greek scholarship. Thus we are not surprised to find that the conception of the octave as the eighth tone was half forgotten. In the early West-European theory, the hexachord, at least for the purposes of Solmization, took occasionally the place of the diatonic eight-tone scale.

Gombosi, in his "Studies of Early Scale Theory" has correctly pointed out that "until the 10th Century the species of octaves were in no way connected with the modes of the Church." He continues: "It is not the range of the octave that defines the church mode, but its *finalis* and the relation of that *finalis* to the dominant tone of Psalmody."<sup>48</sup> Only with Guido is the octave, again and without ambiguity, thought of as the eighth tone of the scale. In his *Micrologus* he calls that eighth tone the octave.<sup>49</sup> He goes on to say: "For there are seven different tones in music just as there are seven days in the week."<sup>50</sup> This calendaric

<sup>48</sup> Cf. Otto Gombosi, "Studien zur fruehmittelalterlichen Tonartenlehre," in *Acta Musicologica*, X., 1938, p. 155.

<sup>49</sup> Guido Aretinus, *Micrologus*, ch. V.

<sup>50</sup> *Ibid.*, ch. VII. "Nam sicut septem dies sunt in hebdomada, ita septem voces sunt in musica."

comparison is not astounding since the term *octava*, as eighth day of the week, was perfectly familiar to every member of the Roman Clergy since the time of Augustine.<sup>51</sup> Even before Guido, the cosmological derivation of the number eight in music was not entirely forgotten. Aurelianus Reomensis links the number of the modes with astronomical and calendaric observations.<sup>52</sup> From Guido on, the identity of the acoustic octave with the eighth tone of the scale is firmly reestablished; likewise, the modes of the Octoechos were arranged in a diatonic scale. In this scheme the eighth mode naturally presented the greatest difficulties.<sup>53</sup>

### III

After the delimitation of the respective origins of octave and Octoechos, we are now confronted with the task of tracing the vestiges of the conception of eight musical modes in the main traditions of the Ancient East — of Judaism, Byzantium, Arabia and the early medieval civilization of Europe. Therefore, we should not lose sight of the remarkable interdependence between calendar, ritual and the theological and musical conceptions that is so characteristic of ancient cultures.

Looking through the rich Babylonian-Akkadian ritual, we find an interesting enumeration of eight *hymn-incipits*. It is not quite clear whether each of these texts corresponded to a mode of its own. Thureau-Dangin cites in his "Rituels Accadiens" the same eight beginnings of sacrificial hymns from three different sources.<sup>54</sup> Some of these *incipits* occur in other sources edited by various other scholars.<sup>55</sup> The order of these incantations, however, is not always the same. Yet, in two places, even the order of the hymns is identical (with one exception — *U-'u-a-ba mu-hul* for *U-li-li en-zu*). We are told that *U-'u-a* is an expression of laments, and that *Ni-tug-ki Nigi(n)-na* means "O Prince, turn Thyself

<sup>51</sup> Augustine, *Sermo de Tempore* CXI, 1. "Hodie octavae dicuntur infantium . . ."

<sup>52</sup> Aurelianus Reomensis, in Gerbert, *Scriptores* I., p. 40.

<sup>53</sup> O. Gombosi, *op. cit.*, p. 168-169.

<sup>54</sup> Cf. Thureau-Dangin, *Rituels Accadiens*, p. 20, 21, 35, 41.

<sup>55</sup> *Ibid.*, p. 21, n. 81 ff.

(to the city!)<sup>56</sup> There we learn that Marduk, the chief God, is in full glory at the Central Sanctuary on the eighth day of his journey with the festival processions. Referring to the fact that frequently the same hymn-texts occur in various sources and at various occasions, Langdon comments:

"The order of the Psalmists (*Kalu*) charged with the musical part of the Temple services, was not compelled to learn a long liturgical service for each day of the year, as I had supposed, but only the liturgies prescribed for certain days of each month, and these were not too many. The Psalmists of the Ashur cult were burdened with liturgies for only eight days of Adar, and some of these were repeated in other months.<sup>57</sup>

In the ritual calendar which Langdon published the number of eight days and of pentacontadic units also play a significant part.<sup>57a</sup>

From here there seems to be a direct line leading to the psalm-superscription *על השמינית* in Ps. 6.1 and 12.1. The text itself does not clearly indicate the meaning of *sheminith*. The earliest commentaries upon the enigmatic term are the *Sifra*, the *Targum* and the *Midrash Tehillim*. The *Sifra* (*Shemini*) has a calendaric implication; so does *Midrash Tehillim* by an allegorical connection of *sheminith* with the day of circumcision, the eighth day after the child's birth.<sup>58</sup> The *Targum* knows nothing, however, of allegorical or calendaric overtones and interprets *sheminith* simply as a lyre with eight strings.<sup>59</sup> Ibn Ezra, on the other hand gives us an alternative explanation: the first one corresponds completely with the *Targum*'s notion of a lyre with eight strings; the alternative comment, however, came very close to the idea of eight distinct modes. *יש אומרים כלי נינון יש לו*

<sup>56</sup> *Ibid.*, n. 82, n21, after Reisner, *Babylonische Hymnen*, #48, rev. 28, and p. 147.

<sup>57</sup> St. Langdon, "Calendars of Liturgies and Prayers," in *Amer. Journal of Sem. Languages*, vol. 42, 1915/6, p. 112.

<sup>57a</sup> *Ibid.*, p. 118.

<sup>58</sup> *Midrash Tehillim*, p. 53, W. Buber: *על השמינית*, על המלך שחונה בשמיני.

<sup>59</sup> *Targum* to Ps. 6.1.

שמונה יתרים או פיוט יש לו שמונה נעימות על כן כתוב בנגינות וזה על הנועם השמיני.<sup>60</sup>

The idea of eight musical modes remained alien to the Ashkenazic commentators for many centuries. Quite different is the literary evidence in the Sephardic, especially in the Judaeo-Arabic realm. Saadia's statement, quoted above, evoked many corroborating utterances by Sephardic commentators and philosophers up to the 15th Century. It is interesting to observe how Saadia's terminology compares with Christian and Arabic expressions. He translates *Lamnatzeach* (Ps. 6.1) by an Arabic term which he equates with the cabbalistic Hebrew *vaticim*, a designation of the incessantly God-praising Levites.<sup>61</sup> In the Christian sphere, the analogon is the *akoimetai*, the ascetic monks or nuns of the Byzantine Church from the time of the 5th Century.<sup>62</sup> As we know from musical history, they were the real champions of the Octoechos. The earliest passage containing the term Octoechos, in a musical sense, clearly demonstrates the connection between *akoimetai*-ascetics and musical modes: (The anecdote is somewhat abridged in the following.)

A monk asked his abbot, Sylvanus, then at the Sinai monastery in Palestine, (4th Century) how he could ever attain true penitence and contrition since he was unable to remain awake when singing the antiphons of the Psalms every night. Sylvanus replied that the singing of antiphones itself constitutes an act of pride and haughtiness, for song hardens the heart and impedes true contrition. He advised the monk to cease singing altogether. The monk answered: "But, my father, since the time when I became a monk, I always chanted the series of the canon, the hours and the hymns of the Octoechos." The old stern abbot reprimanded him by emphatically referring to the great masters — Abbot Paul, Anthony, Pambo, etc., who did not know any *troparia*, (chanted verses or small hymns) who knew no antiphones but conquered the devil — not by

<sup>60</sup> Ibn Ezra to Ps. 6.1.

<sup>61</sup> Cf. I. Margulies, *Saadias arabische Psalmuebersetzung*, p. 8, n. 1; also Ewald-Dukes; *Hebr. Schriftsteller*, I., p. 14.

<sup>62</sup> Cf. Haneberg, *Saadias arab. Psalmkommentar*, Munich, 1841, 383. *Akoimetros* is a person who does not rest, an "indefatigable."

chanting hymns, but by prayer and hard fasting, And they radiated like the stars in the world.<sup>63</sup>

The commentary given to this story in the Plerophories of Johannan de Mayuma goes beyond the simple narrative. The abbot added that singing is a secular custom; important only is incessant waking and prayer for the monks.<sup>64</sup>

Also Saadia deems the eight modes of *rhythm* equal to the basic modes of *melody*. The passage in his *Emunoth Vedeoth* has been analyzed by Professor Farmer, and jointly by my good friend D. I. Sonne and myself. Independently, we have all come to the same conclusion, namely — that the system of eight rhythmic modes represents an artificial imposition of the musical number eight upon rhythm. In melody, the notion of eight modes still might be justified through the principle of the octave with its eight tones, but there is no rhythmic equivalent of the octave. Moreover, we know that the Arabs admitted of ten or even more rhythmic modes. Thus it was only the urge for consistent and logical systematization on the part of Jewish and Arab scholars which evoked the postulation of eight rhythmic modes.<sup>65</sup> Saadia always uses the same term *laḥan* for “melodic mode”; for the rhythmic modes — *‘iqaat* — in both his Psalm commentary and his *Emunoth Vedeoth*.

But the confusion began immediately after Saadia. Even in the pseudo-Saadia commentary to the *Song of Songs* the author speaks of nine modes and uses four different terms indiscriminately — sometimes all four in one sentence.<sup>66</sup> In many of the commentaries or musical remarks the idea of the eight modes is still retained, but often obscured, and occasionally couched intentionally in esoteric language. In the following, only a few of the most characteristic passages can be quoted in order to show the growing confusion.

Abraham ibn Ezra to Ps. 6.1: פיוט יש לו שמונה נעימות. This is still in accordance with Saadia's tradition.

<sup>63</sup> *Patrologia Orientalis*, vol. VII, p. 180 f.

<sup>64</sup> *Ibid.*, p. 181.

<sup>65</sup> Cf. W-S, p. 297, and n. 153, 144, 145.

<sup>66</sup> Ewald-Dukes, *op. cit.*, p. 106.



Isaac ben Abraham ibn Latif:<sup>67</sup> (to Ps. 29.)

"The Science of Music envisages 8 modes of melodies which comprehends the other seven modes: and this is the meaning of למנצח על השמינית. The Psalmist has alluded to this cryptically . . ." (Hebrew text in Werner-Sonne II, HUCA 1943). Here the esoteric intention is conspicuous. The terms employed are *min* and *qol*. Mystical elaboration or, at least intent of this passage is unmistakably evident.

Bachya ben Asher, *Biur*, Parsha Sh'mini ed. Amsterdam 1724, p. ק"נ. גם השיר שהיו הלויים אומרים על הקרבנות היו שמונה לחנין: (1) למנצח (2) על הנגינות (3) על מחלה (4) על עלמות, (5) הנחילות, (6) על השושנים, (7) על הגינית, (8) על השמינית.

To this somewhat artificial interpretation, Bachya's commentator, Samuel Tartas, adds:

רוצה ל' שמונה מיני נגונים.<sup>68</sup>

This is, however, by no means equivalent to Saadia's explanation of Ps. 6.1 as stated by Schlesinger in his translation of Albo's *Ikkarim*.<sup>69</sup>

A later glossator of Bachya, R. Herz Treves, obviously does not feel quite at ease with the general Sephardic notion of the eight *lahanim*, and he, in his commentary, takes the attitude of *relata refero* without giving his own opinion. Thus he says: כי הוא לשון זמר. לחנין' 8 למנצח כתב הר' יחיפא קסטיל behind the authority of R. Joseph Gikatilia. I was unable, however, to locate the passage to which Treves alludes.<sup>70</sup>

The only ashkenazic author who factually reports the use of eight modes by contemporary Jews is Petachya of Regensburg, but the Jews who actually make use of the eight *lahanim* are the singers of the Baghdad Synagogue. . . . אומרים המזמורים בכלי שיר שיש מסורת . . . יש להם עשר נגונים ועל השמינית ח' נגונים ועל כל מזמור יש כמה נגונים.<sup>71</sup>

<sup>67</sup> Cf. W-S, II, (1943), p. 552.

<sup>68</sup> Cf. Steinschneider, *Catalogue librorum Hebr.* I, p. 779, #12.

<sup>69</sup> Cf. Schlesinger, Albo's *Ikkarim*, (German Text and commentary), p. 661.

<sup>70</sup> Hirz Treves, בא על רבינו בחיי, Thiengen & Heddenheim 1546, Parsha שמיני, (with reference to *Ikkarim* III, 10).

<sup>71</sup> Text and German translation in *Literaturblatt des Orients*, IV, col. 541, n. 44.

Even this author, who merely reports, seems to be confused by the instrument 'assor for which Petachya claims ten tones, as for *sheminith* — eight, entirely missing the point of the eight-fold system of modality. He obviously was unfamiliar with the entire conception of a limited number of modes, for he added cautiously: ועל כל מזמור יש כמה נגונים.<sup>72</sup>

In contradistinction to the vagueness and confusion which characterized all Ashkenazic discussions of modes, one feels to be on well-established ground in Sephardic literature when dealing with this matter. They do not only use a more or less consistent terminology, but they even attempt to define their terms. Thus Simon Duran writes: הטעמים והם מיני הלחנים והנה נשאר לנו במיני הלחנים כגון הפיוטים לשיר (liturgical poetry and music). Shortly after this statement, he even gives a short definition of the term *lahan*: 'העויתות והב' דברים 'הא' העויתות והב' בתנועתם הג' בטעמים והם מיני הלחנים.<sup>73</sup>

This definition, short as it is, corresponds in all essential points with the extensive circumscription afforded to us by Alfarabi:

"The term *lahan* designates a group of various tones (*nagham*) which are arranged in a definite arrangement. It also refers to a group which is composed in a definite composition, and with which (beside tones) are also connected letters out of which the words are composed, which — through general usus — bear a special meaning."<sup>74</sup>

It is fairly clear that Alfarabi has two different meanings of the term *lahan* in mind: first a musical significance and afterward — a literary designation. ("It also refers" etc.). Probably Simon Duran knew Alfarabi's definition and copied it in a concise form.

The term '*al hashminith* was connected with the Arabic empire in a more playful way by Alcharisi, and it is not even clear whether he meant the allusion seriously:

"Beginning with the 47th century (after the creation of the world) the Spanish Jews were inspired with good advice, strength, and clear expression. They began to train themselves

<sup>72</sup> *Ibid.*, col. 540.

<sup>73</sup> *Ibid.*

<sup>74</sup> *Literaturblatt des Orients*, IV, col. 248.

in poetry. When the 48th century entered, they awakened and began to use the mode called *Sheminith*." (שמניית).<sup>75</sup>

With this passage we break off our survey of the discussion of the eight modes in Hebrew Literature, omitting a large treasury of cabbalistic writings since these abound in too allegorical interpretations and can, therefore, not be considered evidential source-material.

In conclusion, we can say that the conception of eight modes occurs, not counting the enigmatic Psalm-superscriptions and some hints in Midrashic literature, exclusively with Sephardic-Arabic Jewish writers. The only two exceptions are found in Petachya and Herz Treves, neither of whom understood fully the significance and function of the eight modes. Moreover, the style of the Sephardic writers displays, with few exceptions, an inclination to allegorize upon the number eight of the *laḥanim*. While this allegorical tendency is indigenous to medieval rabbinic literature, we should bear in mind the fact that we nowhere encounter a concrete implementation, that is, a technical description of the eight modes. Those passages in medieval literature that speak about the construction of musical melodies are by no means connected with the Psalm-verses or their modes, but discuss the musical problem from a secular and propedeutic aspect.<sup>76</sup>

#### IV

Outside of the Jewish realm, the conception of eight modes finds its main expression in the church literature of Syria, Byzantium, Rome and occasionally in secular Arab writers. We shall, in the following, survey the field chronologically.

The oldest Christian term, and the most widely used — Octoechos — occurs, for the first time, in the Plerophorai of Bishop Johannan Ruphos from Maiouma, a monastery in Southern Palestine, and, as we have already quoted, was written about the year 515.<sup>76a</sup> The Abbot's contempt of ecclesiastical song,

<sup>75</sup> *Ibid.*, col. 341, English translation by Mr. Morris Berman.

<sup>76</sup> Cf. W-S, I., ch. 1,2,3, in *HUCA* 1941. <sup>76a</sup> *Supra* p. 229.

which stands in violent opposition to the report of Etheria Silvia, his contemporary, is by no means typical of the prevailing situation at his time in Palestine. It reminds one strongly of the attitude of the fanatical ascetics of the Egyptian monasteries; actually the great Abbots and Saints which Silvanus cites as exemplaric were all Egyptian monks. One of the Abbot's replies refers to the songs of the angelic hosts:

"Nowhere do we hear that they (the hosts) sing psalms; but one chorus sings incessantly the Hallelujah, and the other the "Holy, Holy, Holy," etc.

Here the Abbot quotes a text from a "Qedusha" which seems to be the first source in which we encounter the juxtaposition of Is. 6.3 and Ezek. 3.12. This combination occurs only in the contemporary Constit. Apost.<sup>77</sup>

The term Octoechos has here a clearly musical meaning, but — in the great hymnal of Severus of Antioch named *Octoechos* (early 6th Century) very little, if any, musical significance can be discovered in the work and its name. The first editor of this monumental work, E. W. Brooks, stated in the Preface that few musical indications are evident in the manuscript, and even these stem from a later hand.<sup>78</sup> Of the more than forty manuscripts, only these, which date later than the 11th Century, contain a consistent arrangement of the hymns according to the eight modes.<sup>79</sup> It will remain A. Baumstark's merit to have pointed out the evasive and multifarious nature of the term Octoechos in its full scope. He also emphasized the exceedingly strong links which connect the Octoechos with the arrangement of the liturgical calendar throughout the year.<sup>80</sup> Often he comes close to the core of the problem — the relationship between the

<sup>77</sup> Cf. *Constitutiones Apostolorum*, ed. Funk, lib. VII, cap. 35, 3-4, p. 430; discussed in my study "The Doxology in Synagogue and Church", in *HUCA* 1946, p. 294 ff.

<sup>78</sup> *Patrologia Orientalis*, VI, preface p. 1.

<sup>79</sup> Cf. A. Baumstark, *Geschichte der syrischen Literatur*, p. 190, n. 3.

<sup>80</sup> Cf. A. Baumstark, *Festbrevier der syrischen Jakobiten*, p. 84.

Octoechos and the system of eight Sundays within the Jacobite calendar.<sup>81</sup> Once he states:

"On every eight successive Sundays, the eight modes (*echoi*) are used, and for each mode there is a special text . . . in the office. The whole of these cyclically arranged texts constitutes the contents of the Octoechos in its more limited sense . . ."<sup>82</sup>

And further:

"One of the old Berlin Penquitta Manuscripts knows, for the period after the feast of the Apostles (June 29) eight other *taxeis* of resurrection (i. e. Sundays), which are arranged according to the *echadias*. (Ms. Sachau 236) Even farther go certain manuscripts of Jerusalem and Damascus . . . No less than four series of Sunday-offices are offered there . . ."<sup>83</sup> (sets of eight).

Compared with this scholarly accomplishment, Jeannin's elaboration upon the Octoechos (Ch. VII of his *Mémoires Liturgiques Syriennes*) cannot be considered a notable progress. Despite his profundity, the author lacks the ability of freeing himself from old and traditional views which obscure a clear vista. Thus, when Jeannin arrives at the critical point, viz. the question of whether or not the Octoechos has any link with the ecclesiastical year, he completely misses the significance of the problem and turns, instead, to a discussion of the hypothetical relation of the (musical) Octoechos with the modes of ancient Greece and the Medieval Western Church. Here, too, he becomes a victim of traditional views; unable to deviate too strongly from orthodox French viewpoints, such as expressed fifty years ago by Gavaert, later by Dom Gaisser and Emmanuel, he contents himself with slight and insignificant modifications of the traditional theories, accomplishing nothing of real value in this historical chapter.<sup>84</sup> However, he does contribute a great deal of new and unexplored material in the purely musical chapters of his work.

<sup>81</sup> *Ibid.*, p. 269.

<sup>82</sup> *Ibid.*, p. 267.

<sup>83</sup> *Ibid.*, p. 268.

<sup>84</sup> Jeann M I., p. 93/4.

Clearer appreciation of the various aspects of the problem is displayed in the studies of A. Auda, H. Besseler and especially of E. Wellesz, G. Reese and K. Wachsmann. A. Auda, while not completely disentangling himself from the conceptions of the French school, no longer insists upon the hypothetical dependence of the musical Octoechos on the ancient Greek Modes. Moreover, he linked the Octoechos with the alchemistic-musical writings of Zosimos of Panopolis. While important spadework has been done before him in the respect, by A. Gastoué and others, he noticed the connection between the eight modes and certain magical conceptions of the syncretistic religions of the Near East during the 4th and 5th Centuries.<sup>85</sup>

Quite different again is H. Besseler's approach. He completely detached the Syro-Byzantine Octoechos from the "rationally determined octave scales"

"They (modes of the Octoechos) are fundamentally a series of typically melodic formulae. Hence, all tunes of the same modus are closely related to one another . . . ."<sup>86</sup>

The first scholar to approach the problem of the Octoechos from a liturgical as well as from a musical standpoint was E. Wellesz in his book *Aufgaben und Probleme auf dem Gebiete der byzantinischen und orientalischen Kirchenmusik* (Muenster, 1923). His is the merit of having applied the principles of set melodic formulae, as demonstrated by Idelsohn's study "Die Maqamen der arabischen Musik,"<sup>87</sup> to all church music of the Near East. After more than twenty years of intensive study, he arrived at the following conclusion, radically departing from all traditional theories:

"We can only touch on the problem of modes, which is one of the most contradictory in the history of early Medieval music. It may prove that the entire problem of ecclesiastical

<sup>85</sup> Cf. A. Auda, *op. cit.* (n. 13), pp. 151, 158, 161.

<sup>86</sup> Cf. H. Besseler, "Die Musik des Mittelalters und der Renaissance," in E. Buecken *Handbuch der Musikwissenschaft*, vol. II, p. 53.

<sup>87</sup> Cf. A. Z. Idelsohn, "Die Maqamen der arabischen Musik," in *Sammelbaende der Internationalen Musikgesellschaft*, vol. 15, p. 1 ff.



modes needs new treatment, in view of the results of the investigation of Byzantine music. For, in this domain, it becomes more and more evident that the essential reason for attributing a melody to a certain type does not consist in its belonging to a particular scale or mode, but in the occurrence of certain melodic formulae in the structure of a phrase. I dealt with the problem for the first time in an article on the structure of the chants of the Serbian Octoechos, and I was able to show that the so-called 'ecclesiastical modes' are *post-factum* constructions of theorists."<sup>88</sup>

It is astounding, however, that this ingenious author did not fully realize the deep seated calendaric origin of the Octoechos after having written the following words in 1923:

"The Syrian ecclesiastical year commences with the first Sunday of November and runs in cycles of eight Sundays on which the chants of the Octoechos are sung in their order of modal succession; this custom has spread from Western Syria to the Byzantine Empire."<sup>89</sup>

In many respects Wellesz's views are championed and even amplified by G. Reese in his excellent "Music in the Middle Ages." This scholar touches upon a number of interesting ramifications of the problem of the Octoechos. Taking as his point of departure a passage by Bar Hebraeus,<sup>90</sup> Reese arrives at the following conclusion:

"The actual literary evidence affords no basis on which to claim that the original Syrian Octoechos derived its form from Greek or any other scale theory, or, for that matter, from any purely musical consideration. The melodies were doubtlessly assigned their places in the Octoechos according to such symbolical meanings as were attached to them and as ostensibly rendered them suitable for particular liturgical occasions . . . . To the Mystical value of the melodic outlines is added an artistic one, but they are not necessarily, or even with likelihood, recognized as conforming to particular scales . . . . The Syrian *echoi* — which, roughly speaking, may

<sup>88</sup> E. Wellesz, *Eastern Elements in Western Chant*, p. 30 ff.

<sup>89</sup> E. Wellesz, *Aufgaben und Probleme*, p. 101.

<sup>90</sup> Gregory Bar-Hebraeus, *Ethicon*, ed. Bedjan, (in Syriac), p. 69-72. (French translation in Jean M I, p. 21).

be regarded as eight specially favored *ris-qole* — are like ancient Greek *nomoi* before the heyday of the theorists.”<sup>91</sup>

Elsewhere, Reese directs attention to the probable influence of Hebrew music on Byzantine music which is testified to by the Greek legend ascribing the four “authentic” modes of the Octoechos to King David, and the plagal four to King Solomon.<sup>92</sup> This writer since has given concrete evidence to Reese’s theory by demonstrating that the hitherto unintelligible paradigms of Byzantine Psalm-tones, as *Noeanne*, *Nana*, *Nennoa*, etc. are all variations of the Hebrew musical term *ninnua*, used for a trill or a melism.<sup>93</sup>

It was K. Wachsmann who came closest to the complete solution of the puzzle of the Octoechos. He also quoted Bar Hebraeus on the symbolical meaning of the Octoechos, but, like Reese, he entirely overlooks that Bar Hebraeus, in his statement, reflects only typical Arab conceptions. The critical passage states:

“The inventors of the Octoechos constructed it upon four fundamentals, following the number of physical qualities. As one cannot find a mode in pure condition without its entering combinations with another, so it happens also with the elements: whatever is warm is also wet, as air and the blood, or dry, as fire and the yellow bile . . .” (Bar Hebraeus, *Ethikon*, ed. *Bedjan*, p. 69).

There follows a strictly christological application of that *Tetraktys*. One glimpse at Arab writers of the 9th to the 12th Century would have convinced both Reese and Wachsmann that Bar Hebraeus was literally copying the general consensus of opinions of Arab writers on music. We content ourselves by juxtaposing only one quotation from the *Ikhwan es-Safa* (9th Century):

“The musicians restrict the number of the strings of their lute to four, no more nor less, in order that their work might

<sup>91</sup> Cf. G. Reese, *op. cit.*, p. 72 ff.

<sup>92</sup> *Ibid.*, p. 79.

<sup>93</sup> Cf. E. Werner, “The Psalmic Formula Neannoe and its Origin,” in *Musical Quarterly*, January 1942, pp. 93 ff. See also A. Auda, *op. cit.*, pp. 162, 170.

resemble the things of sublunar nature in imitation of God's wisdom.

The treble string is like the element of fire; its tone dry, being hot and violent.

The second string is like the element of air; its tone corresponds to the humidity of air and to its softness.

The third string is like the element of water; its tone suggests waterlike moisture and coolness.

The bass string is like earth — dry, heavy and thick."<sup>94</sup>

This writer has shown that these conceptions were brought into European theory after European Scholasticism became familiar with Arabic philosophy. Aegidius Zamorensis, especially, took over the Arab theories in their entirety.<sup>95</sup> On the other hand, the Arabs knew the Syro-Byzantine Octoechos as early as the 9th Century. In a manuscript by Al Kindi, (d. 874), quoted by H. G. Farmer, the author mentions the differences in the musical arts between the celebrated modes (*turaq*) of the Persians, the eight modes (*alḥan thamaniyya* — ὀκτώ ἤχοι) of the Byzantine theorists (*astukhuṣiyya*) and the eight rhythmic modes (*sul*) of the Arabs to which we have already referred above.<sup>96</sup>

In spite of his somewhat irrelevant starting point, Wachsmann analyses with great astuteness the critical questions of the Octoechos, scrutinizing carefully the entire musical and literary evidence. He summarizes his conclusions in the following words:

"The legends of Syrians and Byzantines concerning the Octoechos stress the ecclesiastical year and its importance."<sup>97</sup>

Emphasizing the allegorical-symbolistic background of the Octoechos, Wachsmann states:

"Our evidence shows that the liturgical system upon which the Octoechos rests displaces every other consideration . . . .

<sup>94</sup> W-S, I., p. 275 ff. (quoted from Ikhvan es-Safa, ed. Dieterici, p. 126-28). Also R. Lachmann, Al Kindi, *Ueber die Komposition der Melodien*. (Publication der Gesellschaft zur Erforschung der Musik des Orients, Leipzig 1931).

<sup>95</sup> Cf. W-S, I., p. 276, n 78.

<sup>96</sup> Cf. H. G. Farmer, *History of Arabic Music*, p. 151.

<sup>97</sup> K. Wachsmann, *Untersuchungen zum Vorgregorianischen Gesang*, Regensburg 1935, p. 95, and n. 69, in which he refers to observations of R. Lachmann on Hebrew liturgic music.

One cannot help giving precedence to liturgic-symbolic conceptions rather than to musical facts concerning the basic idea of the Octoechos. Elements of cult must have determined its form (*Gestalt*) in contradistinction to the theory of antiquity which gained its form by way of speculative contemplation and scientific observation."<sup>98</sup>

Of what nature, then, is the symbolism to which most of the recent scholars referred? It ought to be fairly obvious by now that the symbols for which we must search must belong to some syncretistic ideology, since at least one of their many aspects — the calendaric one — if of ancient Mesopotamian origin. On the other hand, the fact, that early Christianity could so relatively easily absorb the symbolism, indicates that it was now altogether foreign to Greek ideas. This combination would point to certain features of Neo-Pythagoreanism, and — indeed — this finds us on the right track. From an entirely non-musical realm comes the statement that "the ancient mysticism of the number eight, which plays such a part in Christian gnostics, is most probably borrowed from the philosophic system of the Pythagoreans."<sup>99</sup>

#### IV

The task of tracing the time and origin when the majestic confluence of Greek and indigenous Near East ideologies took place is complicated by the conflicting and confusing reports which have come down to us. In view of the multifarious gnostic notions, each of which had erected another system of cosmogony, the confusion must be considered a natural concomitant of the brooding and brewing syncretistic fermentation which altered and modified wantonly, to the point of corruption, the original constituent systems of Greek hermetic philosophy, Biblical Judaism, incipient Judaeo-Christianity, and their combination — Paulinian theology. Hence, our investigation will seemingly lead us far away from our subject proper, and only in the last stages of our disquisition, shall we be able again to link

<sup>98</sup> *Ibid.*, p. 99-100.

<sup>99</sup> Cf. F. J. Doelger, "Das Oktagon und die Symbolik der Achtzahl," in *Antike und Christentum*, Muenster 1934, pp. 153-187.

the loose threads of theology and philosophy to our musical starting point.

It was within the scope of Pythagoreanism to expand the original *Tetraktys* to two such systems, especially when they could quite naturally explain the phenomenon of the octave by two tetrachords which were considered as concrete manifestations of the cosmic *Tetraktys*. Thus Nichomachus of Garasa, a Syrian (in the middle of the Second Century), begins to symbolize, in typical Pythagorean manner, the facts of musical theory.<sup>100</sup> Only shortly before this, Plutarch pondered on the idea of the eight in the cosmos and its great mysteries without making any mention of music.<sup>101</sup> For the first time, the number eight, here already called Ogdoas, was identified with the creator and the essence of music in the apocryphal hymn of Jesus quoted in our second chapter. The hymn probably originated in Egypt or in Southern Palestine in the middle of the Second Century. At about the same time we receive the first information about the theological nature of the Ogdoas. In his polemics against the gnostic heresies of Basilides of Alexandria (ca. 120-140) and his fellow-countryman Valentinus, Irenaeus from Asia Minor (ca. 140-220) makes the neo-Pythagorean origin of the Ogdoas quite clear.<sup>102</sup> He writes:

(and these) "call the first and primeval Pythagorean *Tetraktys* the root of all things . . . and that this founder is the Ogdoas, the root and quintessence (*hypostasin*) of all things."

Irenaeus and Clement of Alexandria give as the members of the Ogdoas the following ideal persons:

Πατήρ, Νοῦς, Λόγος, Φρόνησις, Σοφία, Δύναμις, Δικαιοσύνη, Ἐιρήνη.<sup>103</sup>

<sup>100</sup> Nicomachus, in v. Jan., *op. cit.*, p. 282, line 10.

<sup>101</sup> Plutarch, *Scripta Moralia*, ed. Bernardakis II., 744 b.

<sup>102</sup> PG vol. 7, col. 448, 494.

<sup>103</sup> Irenaeus, *Adversus haer.* I, 1-4; Clement of Alexandria, *Stromata* IV, 25. A. Hilgenfeld comments on this, in his extensive *Ketzergeschichte des Urchristentums*, p. 219: "This conception might well be compared with Parsism, which places an Ogdoas of Ormuzd and the seven Amshapands on top of the realm of light."

Elsewhere, Irenaeus relates the gnostic theogeny in which the mother of the entire universe is the Ogdoas; her derivations are called *Yaldabaot* (יִלְדָּא בְּהוּת): *Yao* (יָהוּ), *Sabaot* (צְבָאוֹת), *Adoneus* (אֲדוֹנֵי), *Eloheus* (אֱלֹהִים), *Oreus* (אוֹרֵא) and *Astapheus* (?), all of which are corruptions of the Old Testament names of God.<sup>104</sup> Interwoven here is also the idea of the seven heavens, which is of ancient oriental origin, along with the Neoplatonic conception of the Demiurg who is not yet understood as the Anti-God.

"They (the Valentinians) say that seven heavens were built, the highest of which (is inhabited) by the Demiurg. Therefore, they call him the Hebdomas, but his mother — Achamoth or Ogdoas. (Achamoth — from the Hebrew form אַחַמּוֹת acc. to Prov. 9.1.) They have restored the number of the first-begotten and primary Ogdoas as the Pleroma."<sup>105</sup>

Similar Hebrew-Greek-Christian syncretisms are evident in Hippolyt's *Refutatio Omnium Haeresium*, especially when he speaks about the conception of the Pleroma and the Ogdoas. There he says:

"Outside then, Horos or Stauros (crucifix) is the Ogdoas as it is called . . . and is that Sophia which is outside the Pleroma . . . . And the animal essence is . . . of a fiery nature and is also termed the super-celestial *topos* (מָקוֹם) and Hebdomad, or 'Ancient of Days.'"

"Underneath the Ogdoas, where Sophia is, but above matter — which is the Creator (Demiurg), a day has been formed, and the 'Joint Fruit of the Pleroma.' If the soul has been fashioned in the image of those above, that is — the Ogdoas, it became immortal and repaired to the Ogdoas, which is, he (Valentinus) says, heavenly Jerusalem."<sup>106</sup>

All this sounds rather confused, not to say abstruse, and it would be hard to systematize these wild syncretistic fantasies. Even Tertullian's description of the Valentinian Gnosis does not shed much more light upon this maze, but it contains the calendaric term "Sabbatum" for the hebdomadal nature of the Demiurg's

<sup>104</sup> Irenaeus, *Adv. haer.* I., 30 ff.

<sup>105</sup> Irenaeus, in PG vol. 7, 494.

<sup>106</sup> Hippolytus, "Refutatio omnium haeresium," in *Antenicean Fathers* vol. V., book 6, ch. 26, 27, pp. 87-89.



abode, and the Ogdoad, the Demiurg's mother, is still identified with *Achamoth*.<sup>107</sup>

This report comes again from a North African, Tertullian, from the end of the Second Century. Egypt and Southern Palestine were also the homelands of the two heretics Kolarbasos and his disciple, Marcus — probably contemporaries of Irenaeus. This Church-Father informs us about two notions of Marcus which are of great importance to our subject and have hitherto been neglected. They are the seven or eight magic vowels and the combination of the four elements — earth, air, fire and water with the four qualities hot, dry, cold and wet. The idea of the seven magic vowels is coupled with the expressions of the seven heavens in Ps. 19.1. Children likewise use the vowels as a form of praise, following the Davidic prediction: "Out of the mouth of babes and sucklings hast Thou found Thy might" (Ps. 8.3).<sup>108</sup> The eighth vowel contains the Logos itself and can, therefore, not be pronounced by mortals. If we compare these Gnostic doctrines with Ibn Latif's interpretation of Ps. 29, quoted above, a surprising resemblance will be apparent. The same holds true for the theory of the two *Tetraktys* of the elements and qualities which we encountered in Arabic as well as in the Jewish philosophy of music.<sup>109</sup>

When surveying our sources, we cannot escape the conclusion that the ideas of the Ogdoas, the magic vowels, the *Tetraktys* of the elements and qualities, indiscriminately mixed with more or less corrupt Biblical conceptions, originated in Egypt and Southern Palestine during the Second and early Third Centuries. Pythagorean, Orphic and even Aristotelian features, as well as ideas of the Ancient Near East, were dragged into these violent metaphysical dreams.

The speculations of this time were posited in two forms: the first one was destined for the theologians, philosophers, apologetes, etc. in a highly intellectual language; the second was the popular edition, written for the more or less practical purposes of magic art, liturgies of the new syncretistic religions, etc. Only

<sup>107</sup> Tertullian, in *Antenicean Fathers*, III., p. 514.

<sup>108</sup> Irenaeus, *op. cit.* II., 13 ff.

<sup>109</sup> See *supra* pp. 223, 237, 238.

a few fragments of the original philosophic sources have come down to us; the rest is reported to us by the very enemies of these speculations, viz. the Church-Fathers, whom we cannot expect to be completely objective in their remarks. We possess, however, a relatively large amount of the popular versions of these writings — the so-called "Magic Papyri."<sup>110</sup> The best survey and interpretation of these documents was given by A. Dieterich's *Abraxas*, Leipzig, 1891.

In the "Magic Papyri", the theoretical speculations of the metaphysicians are applied to practice, i. e. to magic art, or to the liturgies of the new syncretistic religions. And here, music, the "magic art" *par excellence*, plays a predominant part. The magic vowels were understood as tones of a cosmic octave, as incantations of the Ogdoas, as the esoteric music of the illuminates, etc. Here we are confronted with a complete syndrome of calendaric, ritualistic, magic, philosophic, and musical traditions and notions.<sup>111</sup> The exact musical interpretation of these enigmatic vowel-incantations is still much disputed; there is no doubt, however, that a number of the "Magic Papyri" contain symbols for music, especially vocalises upon the magic vowels. As in all esoteric cults, so here, too, the initiate is warned not to divulge the secret of incantation: "Only by oracle may the great name be invoked, the Ogdoas, God, who administrates everything in Creation . . . Keep secret, O disciple, the eight (or nine) symbols!"<sup>112</sup> This magical book stems from Egypt—probably from the Fourth Century. Dieterich writes about its contents:

"These *ιεραὶ βιβλίοι* drew their intellectual substance, of a religious and theological nature, from traditions as they were cultivated among the ritual Greek-Jewish-Egyptian communities on the Mareotis."<sup>113</sup>

<sup>110</sup> Best editions: Ch. Ruelle, "Le Chant gnostico-magique," (in *Congres internat. d'histoire de la musique*, Paris et Solesmes 1900-1902), p. 15-27; Ch. Wessely, "Neue Zauberpapyri," in *Abhandlungen der K. Akademie der Wissenschaften, Philos.-Hist. Klasse*, Vienna, 1888.

<sup>111</sup> Cf. J. Combarieu; *La musique et la magie*, I., ch. 3; also J. Wolf, *Handbuch der Notationsgeschichte*, I., p. 25 ff., and A. Gastoué, *op. cit.* (n. 4.), p. 24-31.

<sup>112</sup> A. Dieterici, *Abraxas* p. 194.

<sup>113</sup> *Ibid.*, p. 165.

This is not the place to elaborate further upon the origin and meaning of these speculations. Returning to our subject, we remember that by the end of the Fourth Century we encounter the term *Octoechos* used in a monastery near Gaza and spoken by Egyptian monks. It should be possible by now to trace the development and itinerary of the eight modes concept. There can be no doubt, in view of Hittite, Babylonian, and old Hebrew documents, that the idea of the eight modes originated in Mesopotamia probably as a ritualistic and calendaric reflection of some cosmological ideas, as is, e.g. the principle of the Pentacontade season. After the collapse of the great empires of the Hittites and the Babylonians, remnants of the basic idea were preserved as priestly tradition by the Psalmists, but, possibly, they were forgotten during the Exile.

Meanwhile, elements of the doctrine of "seven plus one" fundamental things had come to Greece, either by Pythagoras or, perhaps, even earlier. This great thinker and his followers elaborated on and enhanced the idea, transforming it into the doctrine of the Pythagorean *Tetraktys* that was reflected in the macrocosmos of nature as well as in the microcosmos of human music (*musica humana*) here assuming the form of two joined tetrachords that were said to mirror the heavenly Ogdoad.

Some of these speculations were brought to Egypt, the bulwark of Hellenism in general, and of Pythagoreanism, in particular. There they were expanded and corrupted under the double spell of Egyptian mythology and Judaeo-Christian canonic and apocryphal cosmogeny.

The Ogdoas was identified with the supreme Deity by the Gnostics and considered the fountainhead of *musica mundana* by hellenized Christians. As such we encounter it in the apocryphal hymn of Jesus and his disciples whose dance around their master strongly suggests some cosmic symbolism, perhaps the Zodiac. (See above p. 222.)

From Egypt, the new Pythagoreanism invaded Christianity, and a number of Gnostic heresies resulted from that hybrid union. In Palestine, the ancient Mesopotamian calendar of seven weeks plus one day was preserved by the Syrian and Nestorian Churches, and the conceptions of the Ogdoas and

the eight modes were eagerly adjusted to the eight Sundays of the Pentacontade. It is characteristic that the ancient calendaric institutions were best preserved by the Northern and Eastern Churches of Syria where ancient Aramean ideas might have been kept alive. From Syro-Palestine, the Octoechos, together with other liturgical institutions, was brought to Byzantium and to the spiritual leaders of Western Christianity. All of these centers seem to have accepted the Octoechos as a welcome systematization of the embarrassingly abundant features of calendar, hymnody and psalmody. Via Syria, the eight modes eventually were absorbed by Arabic and Rabbinic musical theory, the latter renewing the ancient concept of the Psalmists. At the same time, and together with christianized Pythagoreanism, the ideas of the magic vowels and of the combined (twofold) *Tetraktys* (four elements and four qualities) made definitive inroads in the thinking of the Near East, and later on, exerted a strong spell upon the Aramaean, Arabic and Jewish thinking of the Middle Ages.

## V

The study of the ancient, widespread and involved structure of eight modes causes us to expect to find tangible musical evidence to corroborate the literary sources. What, then, is the concrete musical evidence concerning the eight modes? Since almost every nation, and certainly every Church, has established an Octoechos of its own, it will be necessary to investigate each of the main traditions separately. Before doing so, one more question must be posed and answered. Was there ever one, and only one, Octoechos of which all other later constructions are mere derivatives? This fundamental question cannot be answered and probably will always remain an unsolved problem. The reason for this is that the first notated sources that can be clearly deciphered originated with the Greeks, beginning in the Fourth Century B. C. At that time, and even long before then, certain Oriental modes were in existence and were known to be very much at variance with the classic Greek ones. We know these facts from some of the

Greek writers on music, e. g. Plutarch, who payed much attention to the story that Olympos, from Western Asia, had introduced, not without resistance from the side of the Greeks, certain new modes or styles among which Plutarch especially mentions the enharmonic scale.<sup>114</sup>

Close examination of Olympos' new style shows its kinship with the *Tropos Spondeiakos*, the mode referred to by Clement of Alexandria as the one in which the Jews of Alexandria chanted the Psalms.<sup>115</sup> At any rate, Olympos, (in the 9th Century B. C.) long before the era of Greek classic music, knew modes that were quite different from the then prevailing Greek style. A modern scholar sums up the situation most concisely: "A West-Asian contributed an Asiatic scale to Greek music."<sup>116</sup> Obviously, the idea of one general Octoechos is not tenable after the Ninth Century, and it seems, in general, to be a rather fantastic notion.

Returning to the examination of musical evidence for the Octoechos, we shall search for it in the chants of the Syrian, Byzantine, Roman Catholic and Jewish liturgical traditions.

### *Syrians:*

Due to the fact that the Syrians had lost the understanding of their own notation about 900, as testified by Bar Hebraeus,<sup>117</sup> we must take recourse to relatively recent sources. Parisot's and Dom Jeannin's studies on the music of the Syrian Churches provide a rich material, but there is no safeguard concerning the age or even the authenticity of the melodies reproduced in

<sup>114</sup> Plutarch, *De Musica*, ed. Reinach-Weil, c. 11.

<sup>115</sup> Clement of Alexandria, *Paedagogus* II, 4; also E. Werner, *op. cit.* (n. 31).

<sup>116</sup> Cf. C. Sachs, *The Rise of Music in the Ancient World*, p. 209.

<sup>117</sup> Bar Hebraeus, *Buch der Strahlen*, ed. M. Moberg, Leipzig 1907-13.

The pertinent passage reads as follows: (II. p. 127 ff.)

*Mahp'kana*: "When I wanted to hear this accent from an eminent teacher in Melitene, he had to confess: 'I do not know it, nor did I learn it from my teachers. The holy one, (Jaquab of Edessa) learned it from the Greeks and he called it *M'quarq'sana*, perhaps on account of the manifold modulations of the sentences, wherein it occurs. In our regions it is even unknown to the Greeks." Cf. also Th. Weiss: *Zur ostsyrischen Lautlehre*, in *Bonner Orientalistische Studien*, Fasc. 5, Stuttgart 1933, p. 30.

their books. With this reservation, the musical evidence, as produced in these two standard collections, presents the following picture.<sup>118</sup>

The Syrians knew of eight modes and rendered them regularly in their liturgy. It is, however, most difficult to identify the modes — with the exception of the First, Second and Third — with any degree of scientific exactitude. The First and Second modes, in particular, seem to be identical with the *echoi* of the same order in Armenian, Byzantine and Gregorian Chant.<sup>119</sup> Even the Arabs of the Tenth Century seem to have known at least the First mode.<sup>120</sup> Interpreting the evidence of three manuscripts, Dom Gaisser, a fine student of Christian Oriental chant, suggests that the First mode is identical with the ancient Greek Dorian *harmonia*; this theory has been justly disputed by Jeannin. Dorian it is, not in the classical Greek sense, but in the terminology of the Western Church.

While the first three modes might have originally been common to all churches of the Near East, it is obvious that, in the course of time, they diverged more and more from each other. Says Jeannin:

“Inutile de dire que, s'il est difficile de prouver un bouleversement general postérieur de L'organisation modale pour les divers Octoechos, il est, par contre, tout à fait raisonnable de supposer, en Orient surtout des perturbations melodiques nombreuses pour les chants particuliers.”<sup>121</sup>

According to Jeannin, the chant of the Syrians consisted of eight modes. Yet these modes, even if they were unequivocally established, which they are not, have so many variants, that the system of modes — restricted to eight — is for all practical purposes, no more than a fiction. While the Syrians have a theoretical Octoechos, their chants are by no means limited

<sup>118</sup> Cf. Dom Parisot, *Rapport sur une mission scientifiques* etc., Preface p. 21-35. Also Dom Jeannin, *Melodies liturgiques syriennes*, vol. I, ch. I-V.

<sup>119</sup> Jean M, I., p. 98.

<sup>120</sup> Cf. P. Collangette, “Etude sur la musique arabe,” in *Journal asiatique*, July-August 1906, Xth series, vol. 8.

<sup>121</sup> Jean M, I., p. 106.



to these eight modes, as a study of Parisot's and Jeannin's collections will clearly prove. In contradistinction to the systematization of the Gregorian Chant, these authors have refrained from classifying every tune as belonging to a definite mode. Thus, in Syrian music, the Octoechos exists, but it is, by no means, the only musical system in evidence.

Moreover, our two main authorities on Syrian music, Dom Parisot and Dom Jeannin, are at variance with regard to the question of the First mode. According to Parisot, it can hardly be considered subtonal, whereas the chief example of the First mode, as quoted by Jeannin, bears outstanding subtonal features.<sup>12</sup>

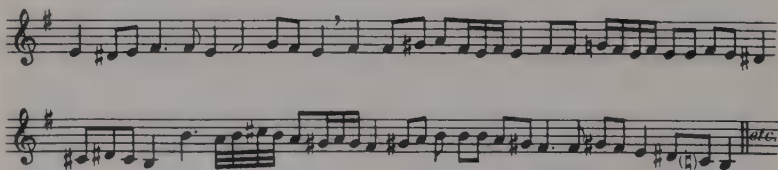
Ex. 1



In general, only the First, Third and Fifth Gregorian modes are evident in Syrian music. Jeannin quotes examples of all the eight modes of the Octoechos, but it is hard to see how he is able to distinguish between some of these modes, e. g. the Third and the Fifth Syrian mode, as they are extremely similar.

Still another difficulty confronts us here. Parisot, as well as Jeannin, cites a number of tunes which simply do not fit into any of the eight modes, e. g. <sup>123</sup>

Ex. 2. *Bo 'uto d' mor Ya'qub*



<sup>122</sup> *Ibid.*, II, p. 267; D. Parisot, *op. cit.* p. 219.

<sup>123</sup> D. Parisot, *op. cit.* p., 217, No 301.

Summing up the musical evidence of today's Syrian music, it may be said that the scale skeleton of the first three modes occurs most frequently. Its melodic patterns are, however, vastly different from those used by the Roman Church for the very same three modes. In addition to these three scales, a great number of tunes are known in Syrian music that do not correspond to any of the canonized modes of the Octoechos. In the last analysis it is impossible to give an accurate and concise definition of all the modes of the Octoechos. Hence, it appears most doubtful if the theory of the Octoechos has been actually implemented where the practice of music is concerned.

### *Byzantine Church:*

The Byzantine *echoi* are defined as eight distinct modes, but they are not necessarily based upon a scalar structure. Egon Wellesz, the greatest authority on the subject, states:

"I . . . have found that . . . the mode (*echos*) is *not* absolutely connected with a certain *finalis*, but with the occurrence of a group of *maqams* which form the melody of each mode (*echos*) . . . The scales were gradually developed from the melodies by a process of grouping certain . . . formulae of which all melodies were built."<sup>124</sup>

While these melodic formulae were arranged in a system of eight modes, it is not easy to classify every Byzantine tune under one of the eight *echoi*. The scheme of the *echoi*, as reconstructed by modern scholars, is quoted here:<sup>125</sup>

<i>Echos</i>	<i>Starting Note of the Interval-Sign of the Melody</i>	<i>Finalis</i>
I	A (rarely D)	A or D
II	B-natural or G.	E or B-natural
III	C or A	F or C
IV	D or G	G or D
Plagal I	D or G (rarely E)	D (rarely A)
Plagal II	E or G (rarely A)	E
Plagal III (Barys)	F or A	F (rarely B-flat)
Plagal IV	G, A or C	G (rarely C)

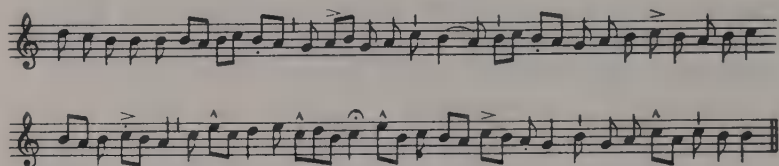
<sup>124</sup> Cf. E. Wellesz, in *Proceedings of the Musical Association* 1932, p. 21.

<sup>125</sup> Cf. G. Reese, *Music of the Middle Ages*, p. 89, abstracted from Wellesz-Tillyard *Monumenta Musicae Byzantinae* I.

"There are, in addition, several by-forms to the *echoi* (as we have indicated in discussing notation), so that this table is not all-embracing, although it does include the principle forms."<sup>126</sup>

Now let us analyze the end of a most famous and ancient Byzantine hymn.

Ex. 3. (End of Byzantine hymn "Ὅτε τῷ σταυρῷ")



127

Wellesz discusses its mode in the following way:

"The melody is composed in the second mode (*ἡχος β'* . . .) As this mode begins, according to Medieval theory, one note above Mode I, we shall expect the opening on E, but — in fact, the melodies start on G, A and B-natural . . . The *finalis* of Mode II is neither E or B-natural; in the present case, the melody ends on B and uses as other important centers of melodic structure G and D. We have the impression, therefore, that the melody is written in a kind of G-major rather than in the second Byzantine mode, as E has no importance at all in its development."<sup>128</sup>

Again we are confronted with certain discrepancies between the theory and the practice of modal music. It may be pointed out that, in the field of Byzantine music, too, there are tunes that do not fit into the scheme of eight modes, tunes that exceed that limit considerably. Wellesz and Tillyard's excellent publications on Byzantine music contain a goodly number of such instances.<sup>129</sup>

<sup>126</sup> *Ibid.*

<sup>127</sup> Cf. E. Wellesz, *Eastern Elements in Western Chant*, p. 100.

<sup>128</sup> *Ibid.*, p. 104.

<sup>129</sup> Wellesz-Tillyard, *Monum. Music. Byzant.*, vol. III, *Sticherarium*.

Surveying our results, we are bound to admit that the Byzantine Octoechos does exist in practice as well as in theory. Yet, even within the Octoechos, theory and practice do not often coincide.

*The Roman Catholic Church:*

It is in the tradition of the Roman Church where the theory and the practice of the eight modes were developed to their highest stage. It would exceed by far the scope of this study were we to examine the history and the authenticity of the Roman Church-tones, but a few pertinent facts ought to be briefly remembered:

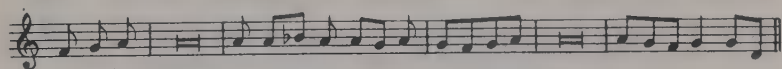
1. The Psalmodic modes are not uniform with respect to their final notes; there are different *finales* for the same modes in the psalmody of the *officium*, of the Antiphones of the Mass, and of the responses of the *officium*.<sup>130</sup>
2. The Psalmody of the Roman Church contains, in addition, the regular eight modes and a number of other psalmodic types, such as the so-called *Tonus Peregrinus*, *In Templo Domini*, etc., which cannot be subsumed within the framework of the Octoechos.
3. Now and then attempts were made to increase the eight modes to twelve in order to bring the individual melodies into a clear and rigid system, but all these attempts failed.<sup>131</sup>

The congruence, however, of scalar mode and melodic pattern is obvious in Gregorian Chant. Practically every mode possesses certain melodic formulae of its own, and while, occasionally, such formulae also occur in other modes, these cases are rather the exception than the rule.

Best developed of the modes are the First, Third, Fifth and Seventh, the so-called authentic tones. Their typical melodic patterns are:

Ex. 4. The eight church-tones according to the "Commemoratio brevis."  
(10th cent.)<sup>132</sup>

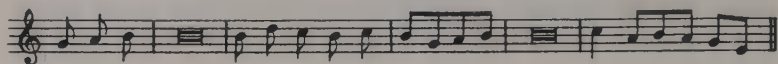
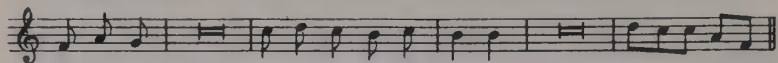
*First tone*



<sup>130</sup> P. Wagner, *Gregorianische Melodien* III, pp 110, 165, 194.

<sup>131</sup> *Ibid.*, p. 108.

<sup>132</sup> *Ibid.*, p. 89.

*Third tone**Fifth tone**Seventh tone*

Yet, were we to add up the various psalmodic formulae of the Church, we would probably reach no less than 18-20 modes. It is, therefore, obvious that the number eight, with regard to musical modes, is again a theoretical construction, very much at variance with the actual number of melodic types within the basic Psalmody.

*The Tradition of the Synagogue:*

In sharp contrast to Syrian, Byzantine and Roman theory and practice, Jewish musicians never seriously attempted to systematize their traditional tunes according to the eight modes. This fact seems to contradict the various statements by Jewish writers that the Psalms were sung in the eight modes. It is quite possible that an ancient tradition regulated the psalmodic Chant according to an eightfold framework of modes. Yet, this system has not come down to us, and any attempt to reconstruct the eight original modes must be unsuccessful in view of the almost chaotic state of the present tradition.

While the Christian churches tried, at least, to systematize their tunes, the Synagogue has never encouraged such an enterprise. It might even be argued that opinions were voiced

that objected to any systematization of liturgical chant. Most articulate on that subject was Jehuda Halevi, who, in his *Kuzari*, claimed that only semi-improvisational music could really express the divine longings of the soul. He termed that type of song *Tartil*, in contradistinction to a more regulated type with clearer rhythmic contour which he called *Anshadia*.<sup>133</sup>

Two antagonistic attitudes can be clearly discerned in the development of Synagogue music: the Orthodox or Hasidic — granting the *Hazan* every freedom of improvisation; the more progressive one, championed by men like Leon da Modena, Rossi, Sulzer and the entire liberal Synagogue — purporting to eliminate as far as possible any cantorial improvisation.

Notwithstanding all these difficulties, serious attempts were made by some Jewish scholars to reinstitute at least part of our musical tradition. Samuel Naumbourg<sup>134</sup> was the pioneer in the field; following him were men like Joseph Singer,<sup>135</sup> Pinchas Minkowsky,<sup>136</sup> Eduard Birnbaum<sup>137</sup> and A. Z. Idelsohn.<sup>138</sup> It was Idelsohn who, in his monumental *Thesaurus of Hebrew Oriental Melodies*, (10 vols.), undertook a profound analysis of the whole question.

These endeavors remained not altogether fruitless. Certain basic modes were reconstructed and proved to be common to the various regional Jewish traditions. They are named after the chanted prayers which are considered to contain the archetypes of these modes. Thus we know of the *Mogen Aboth* mode, corresponding to the First mode of Gregorian psalmody, of the *Ahaba Rabba* mode, having as its counterpart a comparatively recent Byzantine *echos*, and the *Adonoi Molokh* mode which is the equivalent of the Seventh Gregorian tone. Aside from these prayers modes, many others are known to us, such as

<sup>133</sup> Jehuda Halevi, *Kuzari* II, #72-73, ed. Cassel.

<sup>134</sup> S. Naumbourg, *Recueil des chants religieux des Israélites*, Paris 1871.

<sup>135</sup> J. Singer, *Die Tonarten des traditionellen Synagogengesanges*, Vienna 1888.

<sup>136</sup> P. Minkowsky, *Die Entwicklung der synagogalen Liturgie*, Odessa 1902.

<sup>137</sup> E. Birnbaum, *Liturgische Uebungen* I, Berlin 1902.

<sup>138</sup> A. Z. Idelsohn, *Thesaurus of Hebrew-Oriental Melodies*, vols. 1, 2, 4, 5, 6, 8, 9, (Prefaces).



the *Tora* and *Haftara* cantillations, the various modes of the *Song of Songs*, modes of confession and penitence, etc. Were we to add up all of the most frequent modes of Jewish chant, the result would be a multiple of eight.

While the three basic prayer modes seem to be of ancient origin and correspond to some of the Syrian, Byzantine and Gregorian patterns, the same cannot be said of many other modes. They have to be investigated one by one, as they do not submit to general principles. Thus we arrive at almost the same conclusions with reference to Jewish tradition as we reached in our discussion of the three Christian traditions mentioned above. However, one modification must be stated: before the Nineteenth Century not even an attempt had been made in Synagogue music to classify the individual tunes according to comprehensive modes. This late date lets all attempts at reconstruction appear rather problematical.

## CONCLUSIONS

Our examination of the origin of the Octoechos and the ancient modes of music results in the following conclusions:

1. The conception of an eightfold musical modality dates back, at least, to the beginning of the First Millenium B.C. It originated in Mesopotamia.

2. It is possible that the division of the acoustic interval between a fundamental tone and its first overtone (1:2) into eight unequal steps owes its origin to the same ideas as the conception of eight modes.

3. The principle of the octoechos originated *not in musical but in cosmological and calendaric speculations*. While the principle of eight modes is common to the entire Near East and, through Christianity, conquered Europe, its concrete musical implementations vary greatly according to the indigenous traditions of musical folk-lore in the respective orbits.

4. While the existing ecclesiastical modes must be considered *post factum* constructions of the theorists, the conception of an eightfold modality was an *a priori* postulate of a religio-mythical nature to which theorists had to adjust the various systems of modes.

5. The musical evidence of the various ecclesiastic and secular traditions is of a twofold nature:

a. Where a system of eight modes is actually demonstrable and evident, there occur also tunes that do not fit into the pre-fabricated system of eight modes. This is the case in the musical traditions of the Roman and of the Byzantine Church.

b. Frequently the Octoechos is merely the result of a recent reconstruction of the eight modes after the original framework had been forgotten or corrupted due to the lack of musical notation. Such is the case in the musical traditions of the Syrian, Coptic and Armenian Churches and of the Synagogue. In these traditions, not even the *a priori* Octoechos can be reconstructed with a reasonable degree of certainty, and many more modes would have to be set up in order to account for the various melodies outside the Octoechos.

6. The modes of the Octoechos were not originally based upon a scale or a system of scales; they were melodic patterns which, first, through constant usage, and later, by theoretical systems, were set into an invariant musical framework. Common to all modal systems, however, are the First (Dorian). Third (Phrygian) and Fifth (Lydian) modes of the Gregorian Chant.



## SIMON MAGUS IN DER HAGGADA?

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AN der historischen Existenz des Magiers Simon aus Gittha um die Mitte des 1. Jahrhunderts ist beim heutigen Stand der Forschungen nicht mehr zu zweifeln. Der Vorstoss der christlichen Mission in das sehr gemischte, aber überwiegend jüdische Samarien hinein hat sich mit dem in seiner Heimat einflussreichen Magier Simon auseinandersetzen müssen. Die Simon Perikope in Acta 8 berichtet davon.

Dass diese Auseinandersetzungen schwieriger und langwieriger waren, als die Apostelgeschichte erkennen lässt, bezeugen die reichhaltigen Erzählungen der apokryphen Apostelgeschichten — insbesondere der um Petrus aufgehäufte Legendenstoff der in den Acta Petri und den pseudoklementinischen Schriften zusammenfliessenden Traditionen sowie die ziemlich ausführlichen Nachrichten der patristischen Literatur. Nochmalige kritische Durchforschung dieses ganzen Materials ist in diesem kurzen Aufsatz nicht beabsichtigt. Vielmehr stellt er mit Hinblick auf dieses Material die Frage, ob nicht noch weitere Quellen über Simon Magus zu erschliessen wären — und zwar vom zeitgenössischen *jüdischen* Schrifttum her.

Es sollte Wunder nehmen, wenn Talmud und Midrasch nicht die eine oder andere Notiz über diese Erscheinung in Samarien aufgehoben hätten, die den Juden der Zeit mindestens ebenso auffällig gewesen sein muss wie das Auftreten Jesu und die Bildung seines Jüngerkreises zu Jerusalem. Die Frage ist m. W. noch nicht gestellt worden. Viel ist ja ohnehin nicht zu erwarten, da bei der Art des rabbinischen Quellenmaterials historische Ereignisse und Zusammenhänge bekanntlich nur in den seltensten Fällen beweiskräftig sicherzustellen sind. — Wenn auch nicht mehr als Theorien möglich sind, wollen wir doch zeigen, dass es gewisse talmudische und midraschische Gestalten

und Berichte gibt, die — vorsichtig geurteilt — unter dem *Verdacht* stehen, mit Simon Magus und der von ihm ausgehenden Haeresie zusammenzuhängen.

## I.

## BEN STADA

In beiden Talmudim und in der Tosephta<sup>1</sup> begegnet man der Gestalt eines Magiers בן סטרא.<sup>2</sup> Man hat des öfteren in ihm einen Decknamen für Jesus erblicken wollen. Dass dies falsch ist, steht den meisten neueren Forschern (*Strack, Derenbourg, Joel, Klaussner* u. a.) fest. H. P. Chajes (*Ha-Goren*, IV, 1903, 33 ff.) und Tr. Herford (*Christianity in Talmud and Midrash*, London, 1903, 345) haben ihn für identisch mit dem ägyptischen Pseudopropheten des Josephus gehalten. H. J. Schonfield (*According to the Hebrews*, London, 1937, 118 f.) endlich hat en passant von der Möglichkeit gesprochen, dass man in diesem Ben Stada des Talmuds Simon Magus vor sich habe.<sup>3</sup> — Wir treten in eine detaillierte Untersuchung dieser Möglichkeit ein:

Der Tradent, mit dem die Ben Stada Geschichten der tannaitischen Zeit zusammenhängen, ist R. Elieser ben Hyrkanos, der zu Beginn des 2. Jahrhunderts lebte und für den andere Geschichten und Äusserungen Kontakt mit *Minim* seiner Zeit bezeugen. So gut wie er die Traditionen der Judenchristen kannte — dies ist der Fall gewesen —, kann er auch mit denen der Simonianer bekannt geworden sein. Er weiss nach Tos. Sabb. 11.15; pal. Sabb. 12,4; b. Sabb. 104b von Ben Stada dreierlei: 1) Er hat Zauberei (כשפים) getrieben. 2) Er hat sie aus Ägypten mitgebracht. 3) Die Zaubereien hat er durch Buchstaben in seinen Leib eingeschnitten.

<sup>1</sup> Pal. Sabb. 12,4; bab. Sabb. 104b; Tos. Sabb. 11,15.

<sup>2</sup> So Tos. Cod. Erfurt. — Dazu folgende Varianten Tos. Vind. סטרא Ven. Babli סטרא; pal. Jeb. 16 סטרא — wiedergegeben nach Strack, *Jesus, die Häretiker und die Christen*, Leipzig 1910, 8 f.

<sup>3</sup> Vor Schonfield machte schon eine Andeutung in dieser Richtung R. Eisler: *Jesus Basileus ou basileusas* 1 (Heidelberg 1930), 178.

Auch Jesus von Nazareth ist Sanh. 43a; 107b der Zauberei angeklagt worden aber diese Anklage wird nicht spezifiziert und soll nur zur Erklärung dafür dienen, dass er das Volk abspenstig gemacht habe. Bar Stada aber ist hier als ein wirklicher Zauberer hingestellt. Die Herkunftsbestimmung seiner Zauberkunst aus Ägypten fällt mit dem Bericht der Pseudoklementinen zusammen, in denen der verlorene erste Teil der grosskirchlichen Acta Petri vermutet worden ist,<sup>4</sup> dass Simon Magus in Ägypten, und zwar in Alexandria, *μαγεία* gelernt habe (Hom. 2,22; 22,24). Ägypten gilt seit alters als das Mutterland der Magie, mit dem Hauptsitz Alexandria.<sup>5</sup> — Die dritte Bestimmung, er habe sich Buchstaben in sein Fleisch eingeschnitten (d. h. eintaetowiert), geht auf das Ausfuhrverbot von Zaubertexten seitens der ägyptischen Priesterschaft zurück und scheint mit der Erzählung zusammenzuhängen, die die Toldoth Jeschu geben, dass Jesus den Schem ha-mephorasch — in Pergament eingegraben — in sein Fleisch versenkt mit sich getragen haben. Nach *Schonfield* a. a. O. 120 würde dieser Zug der alten Simon Magus Legende entstammen und von den Toldoth erst auf Jesus übertragen worden sein. Dass man mittels des unaussprechbaren Gottesnamens zaubern und Wunder tun könne, ist ein beliebtes folkloristisches Motiv.<sup>6</sup> Es ist eine jüdische Erklärung, wie Magie überhaupt möglich ist.

<sup>4</sup> Näheres Schoeps: *Theologie des Judentums* cap. 1 (Tübingen 1948); vgl. auch M. Blumenthal: *Formen und Motive in den apokryphen Apostelgeschichten*, Leipzig 1933, 167.

<sup>5</sup> Vgl. Kidduschin 49b: Zehn Kab Zauberei kamen in die Welt. 9 Kab entfielen auf Ägypten, ein Kab auf die ganze übrige Welt. — Weitere Quellen bei L. Blau, *Das altjüdische Zauberverwesen*, Berlin 1914<sup>2</sup>, 39 ff. Auch die Griechen und Römer sahen Ägypten und speziell Alexandria als Heimat der magischen Künste an. Vgl. Pauly-Wissowa, *RE.* 1, 992, Zauberbücher hiessen *βιβλοι Αιγύπτιοι*, das Beschwören mit Zaubersprüchen *αἰγυπτιάζειν*. Vgl. auch A. Dieterich: *Abraxas*, Leipzig 1891, 155 n. 1.

<sup>6</sup> S. Krauss: *Das Leben Jesu nach jüdischen Quellen*, Berlin 1901, 278 f. verweist auf das Targum zu Koh. 3.11: Auch den grossen Namen, der geschrieben und verborgen war auf dem eben setijah, hat Gott vor Israel geheim gehalten. Denn wenn dieser Name dem Menschen übergeben worden wäre, hätte er sich desselben bemächtigt und durch ihn erfahren, was am Ende der Tage geschehen wird. — Dass man durch den Schem ha-mephorasch unbedinglich wird, war eine stehende Überzeugung des jüdischen Volksglaubens. Belege für Wundertaten mittels des nomen ineffabile bei Krauss, 280; über



Die uns erhaltenen Nachrichten über Simon Magus in der christlichen Literatur kennen das Motiv nicht, das wir als spezifisch jüdische Erklärung seiner Zaubertaten zu bewerten haben. Das jüdische Urteil an allen drei Stellen über Ben Stada lautet: Er sei ein Narr, was man von Jesus kaum gesagt hätte, was aber im Hinblick auf die Goëtenlaufbahn und das Ende Simons nicht fehl am Platze war.

Einen weiteren Anhaltspunkt dieser Identifikation bildet vielleicht der Name Ben Stada selbst. Die von *Eisler* a. a. O. 178 vorgeschlagene Ableitung Sohn des Sotades ist nicht wahrscheinlich. Nach Hom. 2,22 würde er Sohn eines Antonios und seiner Gattin Rachel — vermutlich also ein Halbjude — gewesen sein.<sup>7</sup> Wahrscheinlich aber haben wir ein Cognomen vor uns. Durch Clemens Alexandrinus (Strom. II, 11, 52 u. ö.) wissen wir, dass Simon von seinen Anhängern ὁ ἑστῶς genannt wurde und dass dies sein messianischer Würdenamen gewesen ist. Rec. 3,47 heisst es: adserentem se esse quendam stantem, hoc est alio nomine Christum.<sup>8</sup> Der Syrer zu Rec. 2,7 übersetzt genauer als Rufin: "Und er wollte dafür gehalten werden, dass er die Kraft sei, welche höher ist als der Schöpfer und über sich selber sagte er insgeheim: Ich bin der Messias und werde genannt ἑστῶς." Die hier ausgesprochene Meinung ist: Der ἑστῶς ist der Stehende, der Unvergängliche. Offenbar war dies eine direkte Gottesbezeichnung der Gnostiker.<sup>8</sup>

Nach Philon (de nom. mut. 344 de post. Caini 262) ist ἑστῶς auch tatsächlich Beiname des höchsten Wesens gewesen. *Waitz*<sup>9</sup> glaubt, dass ihm die ἑστῶς-Würde in Alexandria zugelegt

den Zusammenhang des für Amulette verwandten Tetragrammatons mit ägyptischen Zauberpapyri vgl. Blau a. a. O. 124 ff. — Eine weitere Anwendung vgl. unten unter 111.

<sup>7</sup> So meint Hilgenfeld (*Z. wiss. Theol.* 1868, 381 ff.), dass er als Sohn eines griechischen Vaters und einer jüdischen Mutter ein im Judentum erzogener Proselyt gewesen sei. Ebenso Lipsius, *Quellen der römischen Petrus-sage*, Kiel 1872, 33.

<sup>8</sup> Weitere Stellen sind Rec. 2,7: et Christum putari atque stantem nominari. — Hom. 2,22: ἐνίστε δὲ καὶ Χριστὸν ἑαυτὸν αἰνισσόμενος ἑστῶτα προσαγορεύει.

<sup>8</sup> Darüber handelte zuletzt M. Pulver im *Eranos Jahrbuch* 1943, 272.

<sup>9</sup> Simon Magus in der altchristlichen Literatur, *ZNW.* 1904, 139.

worden sei. Ausserdem ist aber *ἑστῶς* auch eine alte samaritanische Gottes- und Ta'eb-Bezeichnung.<sup>10</sup> Und dieser — allgemein gefasst — jüdisch-griechischen Benennung Gottes ist auch die vollständige Namensform des Magiers nachgebildet, die nach Hippolyt (Philos. IV,51; VI,9,18; X,2) *ὁ ἑστῶς στασιστησόμενος* gelaute hat. In dem gnostischen Religionssystem des Simonianismus, das Hippolyt und andere Haeresiologen beschreiben, ist der Pseudomessias aus einem Zauberer zur *μεγάλη δύναμις θεοῦ*, d. h. Inkarnation der die Welt schaffenden und beherrschenden Gotteskraft geworden. Justin (Dial. 120) berichtet von seinen Landsleuten in Samarien, sie verehrten fast alle noch den Simon als "Gott" oder "Gottessohn." Das Kennwort dieses gnostischen Religionssystems aber ist der *ἑστῶς*-Begriff, dass die Simonianer dem *ἑστῶς* gleich werden wollen." Sie, die noch *στάντες* sind, d. h. im Fluss der Entwicklung stehen, wollen *στησόμενοι* werden, d. h. in die unbegrenzte Dynamis aufgehen, in der die Gottheit ihre Selbstvollendung findet" (Waitz a. a. O. 21). — Es wäre nicht verwunderlich, wenn Elieser ben Hyrkanos Simon und den Simonianismus nur unter diesem Namen gekannt hat. Vielleicht darf man darum — trotz der möglicherweise verderbten Endsilbe — annehmen, dass *אטאס* die Hebraisierung des mit *ἑστῶς* synonymen *στάδιος* darstellen soll, Ben Stada also *υἱὸς τοῦ ἑστῶτος* = Gottessohn zu bedeuten hat.

Was die späteren Nachrichten des Talmuds (ohne Tradentennamen) sonst noch von ihm zu erzählen wissen: er sei in Lud (Lydda) vom jüdischen Gerichtshof gesteinigt und an den Pfahl gehängt worden, (Tos. Sanh. 10,11; pal. Sanh. 7,16; b. Sanh. 67a), ist ohne Anhalt in der sonstigen Simontradition, kann aber als jüdischer Beitrag zu den widerspruchsvollen patristischen Nachrichten über das Ende des Magiers hinzugenommen werden.<sup>11</sup> Dass die Aufhängung am Rüsttag des Passahfestes geschehen sein soll, zeigt das spätere Eindringen der Jesustradition an. Der babylonische Amoräer R. Chisda (Schulhaupt in Sura, gest. 309)

<sup>10</sup> Quellen bei Zahn: *Komm. N. T.* (Apostelgeschichte, Leipzig 1919, 308).

<sup>11</sup> Die Lokalität legt den Verdacht einer Korrumpierung des Heimortes Simons: Gittha aus Lydda nahe.

identifiziert (Sabb. 104b) Ben Stada ausdrücklich mit ben Pandera, dem Namen, unter dem Jesus in der jüdischen Tradition zumeist erscheint. Die ebd. gegebene Ableitung, dass seine Mutter Stada geheissen haben und die Erklärung ihres Namens nach der Volksetymologie (סַטָּה סַטָּה) die ist, dass sie ihrem Gatten abtrünnig geworden sei, beweist nur, dass die späteren Amoräer keinerlei Kenntnis der historischen Zusammenhänge mehr besetzen.

## II.

### DER UNZUCHTSKULT DER SIMONIANER

In Kohelet rabba zu 1,8 (Midr. rabboth al chumesch megillot, Leipzig 1865, p. 146) wird folgende seltsame Geschichte erzählt, die m.W. noch nie genauer untersucht worden ist:

Einer von R. Jonathans Schülern lief weg (sc. zu den Minim). Er kam nach und fand ihn mit ihnen beschäftigt. Die Minim sandten ihm folgende Botschaft nach: Dein Los wirfst du unter uns, lässt uns alle einen Beutel haben (Prov. 1.14). — Er floh und sie verfolgten ihn. Sie sprachen zu ihm: Rabbi, vollziehe doch einen Akt der Güte an einer gewissen Braut. Er ging hin und traf sie dabei, als sie eine Dirne schändeten. Er rief aus: Ist das eine Verhaltensweise für Juden? Sie antworteten ihm: Steht nicht in der Thora: Ein Beutel soll uns allen sein? — Er floh und sie verfolgten ihn bis an seine (Haus) Tür, die er ihnen vor der Nase zuschlug. Sie riefen ihm nach: Geh, Rabbi Jonathan, sag es deiner Mutter, dass du dich nicht umgewandt und auf uns gesehen hast. Denn wenn du dich umgewandt und auf uns gesehen hättest, dann würdest eher du uns als wir dich verfolgen.

Diese Geschichte bedarf der näheren Erklärung, um verständlich zu werden: R. Jonathan ist R. Jonathan b. Eleazar, ein palästinensischer Amoräer des beginnenden 3. Jahrhunderts, Zeitgenosse von Resch Laqisch. R. Jonathan ben Eleazar ist auch aus anderen Rencontres mit Minim bekannt,<sup>12</sup> wie er sich

<sup>12</sup> Vgl. z. B. die Geschichte in Bereschith rabba § 82 zu Gen. 35.19 — erklärt bei Tr. Herford a. a. O. 215 ff.

auch theoretisch mit dem Problem der Minuth beschäftigt zu haben scheint.<sup>13</sup> Unsere Geschichte wird nur in Koh. rabba erzählt, einer relativ späten Midraschkompilation. Sie ist zusammengestellt mit einer Reihe anderer Minimgeschichten, die den Satz Koh. 1.8 demonstrieren sollen, den der Midrasch in dem Sinn versteht: Ketzerische Reden machen dem Menschen viel zu schaffen. Der Zusammenhang mit den anderen Geschichten, die nach den Namen der auftretenden Personen in anderen Jahrhunderten spielen — teilweise handelt es sich um Judenchristen<sup>14</sup> — ist nur ein literarischer und ergibt nichts für die Bestimmung unserer Geschichte. Von Jonathan b. Eleazar wissen wir, dass er in Sepphoris wohnhaft war (jer. Beza 60a par.), wo die Geschichte also spielen muss, da die Minim ihn bis an seine Haustür verfolgen. Sepphoris wieder ist aus jer. Sanh. 25d als ein wichtiger Stützpunkt der Minim gegen 200 bezeugt.

Ehe wir der Frage nachgehen, welche Sorte Minim gemeint sein kann, noch einige Erläuterungen zum Inhaltlichen: Unter diesen Minim muss es ausser dem abtrünnigen Schüler noch andere Juden gegeben haben, wie die pluralisch gehaltene Frage R. Jonathans zeigt. Auch die Antwort spricht dafür, die für die kultische Weibergemeinschaft dieser Gruppe eine biblische Herleitung und Begründung geben will. Sie kommt dadurch zustande, dass das כִּיס (Beutel) — ebenso gelegentlich auch כּוֹס (Becher) — als euphemistischer Ausdruck für die weibliche Scham genommen wird. Tatsächlich wird der Vers Prov. 1.14 auch vom Midrasch Esth. V, 1 (zu 1.22) wie von Lev. rabba XII, 1 (zu 10.9) so verstanden. Becher ist also eine Metapher für Dirne. Und dass der gemeinsame Geschlechtsverkehr mit einer Dirne von den Minim als eine Mysterienfeier zu verstehen ist, ergibt sich aus der Aufforderung an R. Jonathan: אֵיחָא גּוֹמֵל חֶסֶדָא לְהוּא כְּלָחָה. Schliesslich wird von ihnen erklärt: Wenn R. Jonathan das Mysterium verstehen würde, also die rechte Gnosis hätte, würde er ihnen nachlaufen, und nicht umgekehrt.

<sup>13</sup> Vgl. seine exegetische Norm: Überall, wo in der Schrift das Wort חֲנוּפָה vorkommt, ist die Minuth gemeint (Ber. r. 48,1).

<sup>14</sup> Dies gilt für die Geschichten um Jakob aus Kefar Sechanja und für die Minim aus Kefar Nachum (Nazareth). — Vgl. Schoeps: *Theologie des Judenchristentums* cap. 111 A.

Untersuchen wir nun, welche Richtung hier gemeint sein kann: Offenbar muss es eine Sekte sein, die in den Mittelpunkt ihres Kults ein Unzuchtsmysterium gestellt hat. Soweit die lückenhaften Quellen erkennen lassen, kommen vornehmlich drei Gruppen in Betracht: Die Barbelognostiker, die Nikolaiten und die Simonianer. Die *Barbelognostiker*,<sup>15</sup> die Irenäus (I, 29, 1) auf die Simonianer zurückführt und für die der 20jährige Epiphanius einen Augenzeugenbericht gegeben hat, scheiden aus geographischen Gründen aus, denn sie werden von ihm nur für Ägypten gemeldet. — Die *Nikolaiten* könnten in Frage kommen, (so meint es Graetz: *Gesch. d. Juden* IV<sup>3</sup>, 91) da sie nach den Quellen (Hippolyt Philos. VII, 36, 2; Ephiph. Pan. haer. 25, 2, 5; Ps. Tertull. adv. omn. haer. 1) die sexuelle Promiskuität propagiert haben. Aber die nähere Bestimmung und Abgrenzung dieser Sekte ist schwierig. Wahrscheinlich war Nikolaiten (unglückliche Graezisierung von Bileamiten?) ein Sammelname für libertinistische Sekten des 2. und 3. Jahrhunderts, genauso wie er es schon in der apostolischen Zeit nach dem Ausweis der Apoc. Joh. (2, 15) gewesen ist. Die Geschichte von dem Diakon (und Proselyten) Nikolaos aus Antiochia (Acta 6, 5), der die Sekte gestiftet habe, indem er — seinen Anhängern ein Beispiel gebend — sein schönes Weib für die Gemeinschaft prostituierte, ist natürlich eine nachträgliche Erfindung und hat nicht mehr Wert als z. B. die Herleitung der Ebioniten von einem Sektenstifter Ebion. Clemens Alex. (Strom. 11, 20, § 118, 3) erzählt die Geschichte mit einem bezeichnenden "man sagt;" Euseb und andere haben sie für bare Münze genommen. Feststeht lediglich, dass sich Libertinisten zu verschiedenen Zeiten auf die dem Nikolaos der Acta angehängte Immoralität berufen<sup>16</sup> und offenbar einem organisierten Weiberkommunismus (Ephiph. *πολυμυξία γυναικῶν*) gehuldigt haben. Ihre genauere Lokalisierung um die 3. Jahrhun-

<sup>15</sup> Am ausführlichsten hat H. Leisegang: *Die Gnosis*, Leipzig 1924, 186–195 über sie gehandelt.

<sup>16</sup> Nach Clemens Alex. (*loc. cit.*), Eusebius (111, 29, 3) u. a. beriefen sich die Nikolaiten auf einen — gründlich missverstandenen — Ausspruch des Nicolaos, dass man sein Fleisch missbrauchen solle. — Über diese Sekte handelten speziell A. v. Harnack: *The Sect of the Nicolitans and the Diacon Nicolaos in Jerusalem*, *Journ. of Religions* 1923, 413 ff. und Th. Zahn: *Komm. zur Apoc. Johannis*, Leipzig 1924, 264–274.



dertwende auf Grund der patristischen Quellen ist nicht möglich. Doch kann es gut sein, dass man sich zu dieser Zeit gewöhnt hat, die Simonianer, über die wir relativ ausführliche Nachrichten haben, auch als Nikolaiten zu bezeichnen.

Die Blütezeit der auf Simon Magus zurückgeführten *Simonianer* der Kirchenväter liegt im 1. und 2. Jahrhundert. Origenes um 230 spricht davon, dass sie sehr zusammengesmolzen seien (c. Cels. I, 57) — ironisch nennt er eine Zahl von 30 und nur in Samaria —; aber Euseb (h. e. II, I, 12) bezeugt noch für die konstantinische Zeit (*εἰς δεῦρο*) ihre Existenz.<sup>17</sup> Erst Epiphanius (22, 2, 4) meldet sie als erloschen. — Es liegt also durchaus im Bereich der Möglichkeiten, dass sie um 200 von der Nachbarprovinz Samaria aus nach Sepphoris übergriffen haben<sup>18</sup> — mögen sie sich da nun Simonianer, Nikolaiten oder noch anders genannt haben.

Simon Magus ist von der Patristik bekanntlich zum Erzvater *aller* Haeresien gestempelt worden. Aber das eigentlich simonianische Kultmysterium kann natürlich nur für seine wirklichen Anhänger in Anspruch genommen werden. Es hat in einem Akt bestanden, der mit einer phantastischen Mythologie umkleidet worden ist. Nach übereinstimmendem Zeugnis der Väter hat sich Simon Magus als eine Verkörperung des unbekannten höchsten Gottes, als Inkarnation der *μεγάλη δύναμις* ausgegeben<sup>19</sup> und ist nach Justin, Irenäus, Tertullian, Ps. Clemens mit einer gewissen Helena herumgezogen, die er den von ihm ausgegangenen ersten Gedanken (*τὴν ὑπ' αὐτοῦ Ἐννοίαν πρώτην γενομένην*) nannte.<sup>20</sup> Diese Frau sei aus dem obersten Himmel auf

<sup>17</sup> Er sagt: Bis heute schliessen sich Leute an die von Simon Magus ausgegangenen Sekten an. — II, 13, 6 findet sich die gleiche Wendung singularisch (*αἵρεσις*).

<sup>18</sup> H. Waitz: *Simon Magus in der altchristlichen Literatur*, ZNW, 1904, 123 f., ist der Meinung, dass in der Reiseroute des Magiers im klementinischen Roman von Caesarea über Tyrus, Sidon nach Antiochien ein Reflex des geschichtlichen Sachverhalts vorliege, in welchen Gebieten der Simon-Kult Einfluss gewonnen habe.

<sup>19</sup> Vgl. Iren. I, 23, 1; Hippolyt Philos VI, 19, 4; Clementina Rec. 1, 72; 2, 7; Hom. 2, 22; 3, 2; Ephiph. 21, 2 etc.

<sup>20</sup> Irenäus schreibt: *prima mentis eius conceptio ennoia*; Tertull: *injectione sua prima*; Ephiph: *πνεῦμα ἄγιον*.



die Erde herabgestiegen, die Helena des trojanischen Krieges sei ihr Abbild gewesen, durch viele Inkarnationen sei sie aber (resp. nach Ps. Clemens ihr Abbild) von Stufe zu Stufe gesunken, um schliesslich als öffentliche Dirne in einem Bordell zu Tyrus in Phoenizien zu landen. Dort habe Simon sie gefunden und gereinigt, um — nach Hippolyt VI, 13, 7, — den Menschen Erlösung zu bringen *διὰ τῆς ἰδίας ἐπιγνώσεως*.<sup>21</sup> Sie gilt den Simonianern als das verlorene Schaf des Evangeliums (Mt. 18.12; Luc. 15.4). Offenbar ist nun das Mysterium ihrer Erlösung aus der tiefsten Verworfenheit zum Vorbild für die Simonianer oder Helenianer — unter welchem Namen auch Justin (Dial. 80) und Celsus (Orig. c. Cels. V, 62) sie kennen — geworden, denn Hippolyt (VI, 19, 5 — Wendl. 146, 9 ff.) berichtet von ihnen: οἱ δὲ αὖθις μιμηταὶ τοῦ πλάνου καὶ μάγου Σίμωνος γινόμενοι τὰ ὁμοία δρῶσιν, ἀλογίστως φάσκοντες δεῖν μίγνυσθαι λέγοντες· πᾶσα γῆ γῆ, καὶ οὐ διαφέρει ποῦ τις σπείρει, πλὴν ἵνα σπείρῃ, ἀλλὰ καὶ μακαρίζουσιν ἑαυτοὺς ἐπὶ τῇ (ξένη) μίξει ταύτην εἶναι λέγοντες τὴν τελείαν ἀγάπην καὶ τὸ ἅγιος ἁγίων [ἐπά]λλη[λ]ος ἀγιασθήσεται· οὐ γὰρ μὴ κρατεῖσθαι αὐτοὺς ἔτι τινὶ νομιζομένῳ κακῷ, λελύτρωται γάρ. (Die zu Nachahmern des Betrügers und Magiers Simon geworden sind, handeln ähnlich und erklären unvernünftig: Man müsse sich vermischen, denn alle Erde ist Erde und es kommt nicht darauf an, wohin einer den Samen saet, wenn er nur saet. Sie preisen sich auch noch selig um dieser Vermischung mit fremden Frauen willen und sagen, dass dies die vollkommene Agape sei. Und das Allerheiligste zelebrieren sie dicht gedrängt (?) Denn ein vermeintes Böses kann sie nicht überwinden; sie werden ja erlöst.”).

Diese ausführliche Beschreibung wird gedeckt durch die Andeutungen des Euseb (h. e. II, 13, 7 f.), der das, was er in Erfahrung gebracht hat, nicht niederschreiben will δι’ ὑπερβολὴν

<sup>21</sup> Auch Irenäus 1, 23, 3 sagt: *quapropter* et ipsum venisse. Dass der Gott Simon an der Helena eine Erlösungstat für die Menschheit vollbracht habe, meinen ebenfalls Tertull. de anima 34; Ps. Tertull. adv. omn. haer. 1; Epiph. 21, 2, 3; Philastrius 29 etc. Aber alle diese sind abhängig von Hippolyt. — Im übrigen hätte für Simon eine Berufung auf das Vorbild Hoseas naheliegen müssen, wenn er nicht als Samaritaner prinzipiell prophetenfeindlich gewesen wäre.

*αἰσχουργίας τε καὶ ἀρρητοποιτίας*. Es wäre so scheusslich, dass man es nicht über die Lippen brächte. Die Simonianer gäben selber zu, dass wer zum ersten Mal davon höre, bestürzt und entsetzt werden müsse. Die gemeinsten Phantasien würden von dieser schmutzigen Sekte (*μυσαρωτάτη αἵρεσις*) noch übertroffen, die mit Frauen ihr Spiel triebe, die mit jeder Art Laster angefüllt seien (*παντοίων κακῶν σεσωρευμέναις γυναιξίν*). — Es unterliegt keinem Zweifel, dass das Erlösungswerk Simons an Helena — um mit Hippolyt zu sprechen: des scheusslichen Geliebten dieser Frau (*ψυχρὸς ἐραθεὶς τοῦ γυναιίου τούτου*) — für die Anhänger vorbildlich gewesen ist und der Schändungsakt als eine Art Erlösungsmysterium von ihnen begangen worden sein muss. Offenbar hat dieser Akt extremer *ἀνομία* gleichzeitig auch für sie Selbsterlösung bedeutet, denn Irenäus wie Epiphanius berichten über den Sinn ihrer Kultbräuche, dass wer sich selber vom Gesetz befreit hat, auch von den Weltmächten befreit werden wird.<sup>21a</sup> Ähnliches mag auch aus der Bemerkung des Origenes über Simon Magus zu entnehmen sein, dass dieser seine Anhänger von der Todesfurcht befreit habe (c. Cels. VI, 11). Ihn allein verehren sie daher als Gottheit (Iren. I, 23, 4). Und ebendieser Irrglaube wird von den Const. Apost. VI, 10 für die Nikolaiten berichtet, die der Meinung seien, die Seele könne durch die Verübung von Freveltaten den Archonten der Welt entgehen.<sup>22</sup>

<sup>21a</sup> Das meinten auch die Karpokratianer, daß radikale *ἀνομία* die Kräfte des Weltschöpfers entleeren (evacuare) könne (Tren. I, 25, 1). — Über den Libertinismus dieser gnostischen Sekte vgl. die Dissertation von H. Liboron: *Die karpokratianische Gnosis*, Leipzig 1938, 29 ff.

<sup>22</sup> Anmerken will ich wenigstens, dass dem Ganzen ein gnostisch eingekleideter Mythos zugrundegelegen haben mag, in dem Simon als Sonnengott und Helena als Mondgöttin die "Hauptakteure eines gnostischen Welterlösungs-dramas" (Waitz a. a. O. 137) gewesen sind. In diese Richtung könnte weisen, dass die Rec. für Helena durchgehend Luna haben. Nach Ausweis des syrischen Texts war dies schon für die Grundschrift der Fall. Die Mondgöttin Helena — Selene wird von Melkart-Simon erlöst, der mit ihr eine himmlische Hochzeit feiert — in Tyrus, wo die Astarte als Mondgöttin verehrt wird und nach einer singulären Notiz des Epiphanius (Ancoratus 104, 11) die Göttin Isis sich 10 Jahre der Prostitution ergeben hat. Vgl. Bousset: *Hauptprobleme der Gnosis*, Göttingen 1907, 81 ff., dessen weitere Kombinationen und Folgerungen aber mit Vorsicht aufzunehmen sind.

Nunmehr sind wir in die Lage versetzt worden, die rätselhafte Aufforderung der Minim an R. Jonathan in Kohelet rabba zu verstehen: Übe einen Akt der Güte an einer gewissen Braut. Das rätselhafte  $\kappa\tau\omicron\pi$  klärt sich von der  $\tau\epsilon\lambda\epsilon\acute{\iota}\alpha\ \acute{\alpha}\gamma\acute{\alpha}\pi\eta$  und dem  $\mu\alpha\kappa\alpha\rho\acute{\iota}\zeta\epsilon\upsilon\iota$  des Hippolytschen Berichtes her auf. Wir verstehen freilich auch R. Jonathans Entsetzen und seine Flucht, ebenso aber auch die Reaktion der Minim, die in ihrem Treiben ja nur die Wiederholung des Simonianischen Erlösungswerkes sehen, das gleichzeitig Selbsterlösung ist.

Mögen die Minim, zu denen R. Jonathans Schüler entlaufen ist, nun Simonianer, Helenianer, Karpokratianer oder Nikolaiten geheissen haben, das religionsgeschichtlich Bedeutsame an diesem hier kommentierten Bericht ist, dass es Übertritte von Juden zu libertinistischen Gnostikern um die dritte Jahrhundertwende gegeben hat und dass die Apostaten in Prov. 1.14 sogar einen nach rabbinischer Manier vertretbaren Schriftbeweis für ihre Teilnahme an einem Unzuchtsmysterium gefunden haben.

### III.

#### BILEAM

Seit *Rappaport* und *Geiger* ist man oft geneigt, Bileam im Talmud als eine Deckfigur für Jesus anzusehen. Christliche Gelehrte wie *Leible*, *Strack*, *Herford*, *G. Beer*, *Billerbeck* u. a. halten an dieser Beziehung wenigstens für eine Anzahl Stellen fest. Dass diese Deutung aber falsch sein muss, ergibt sich aus Gittin 57a, wo sowohl Jesus wie Bileam als zwei deutlich geschiedene Personen *neben* einander in Erscheinung treten. Die betreffende Haggada — die sog. Kalonykosgeschichte — handelt von Nekromantie und hat ein recht phantastisches Aussehen. Drei Widersacher des Judentums: Titus, Bileam und Jesus werden, um einen Proselyten zu überzeugen, als Wahrheitszeugen für Israel aufgeboten. Auf Befragen erklären sie, dass man sich Israel anschliessen solle und dass sie selber in jener Welt ihre Strafe dahin hätten, weil sie Israel geschadet haben. Aufschlussreich ist die Art der berichteten Strafe, die in Beziehung zu dem von der Haggada jeweils gemeinten Verbrechen steht. *Titus*, der den Tempel ver-

brannt hat, wird täglich aufs neue verbrannt, nachdem man zuvor seine in die sieben Meere zerstreute Asche eingesammelt hat. — Jesus wird im Gericht mit siedendem Kot bestraft, weil er die Worte der Weisen verspottet hat.<sup>23</sup> *Bileam* aber wird in siedendem Samenerguss gerichtet, weil er nach Num. 31.16 ff. Anlass zu dem Unzuchtsdienst des Baal Peor durch Israeliten geworden ist. Aber diese Erklärung befriedigt nicht ganz. Meint die Haggada wirklich nur den biblischen *Bileam*, den sie von Titus und Jesus umrahmt sein lässt? Liegt es nicht näher, *drei Zeitgenossen* anzunehmen, die dem Judentum schädlich geworden sind und gegen die die Haggada polemisieren will? Wenn wir aber die unter No. 2 behandelte Materie in Betracht ziehen, auf wen kann das Gericht des siedenden Samenergusses berechtigter Anwendung finden als auf *Simon Magus*?

Für die Beziehung *Bileam-Simon Magus* scheinen mir weitere Stellen zu sprechen, die positiv ins Gewicht fallen, *wenn* *Bileam* tatsächlich Typus für einen anderen ist. — Zunächst die bekannte Gegenüberstellung der Schüler *Bileams* und der Schüler *Abrahams* in Aboth V,19 die überhaupt nicht passt, wenn man sie auf die Christen bezieht, was meistens der Fall ist, aber recht gut passt, wenn man in den Schülern *Bileams* *Simonianer* sieht. Die Schüler *Bileams* werden charakterisiert durch עין רעה, — עין רעה, נפש רחבה, רוח גבורה, der böse Blick, ist eine mantische Qualität, die nicht vom neutestamentlichen Jesus, wohl aber vom Magier *Simon* und seinen Anhängern<sup>24</sup> auszusagen ist. נפש רחבה meint nach dem Modell von Prov. 28.25 den habgierigen Sinn,<sup>25</sup> der von Jesus und seinen Jüngern schwerlich ausgesagt werden kann, aber für *Simon* in Acta 8.18 ff. seine Stütze hat. Und רוח גבורה, hochmütiger Geist ist wohl die rechte Kennzeichnung für einen Mann, der sich noch dem Weltschöpfer überlegen fühlt und sich als ἑσθλός, als die ihm überlegene oberste Macht bezeichnet. — Wäre mit *Bileam* wirklich *Jesus* gemeint,

<sup>23</sup> Das geht auf die aus Erubim 21b bekannte Entstellung (Wortspiel: לען — להן) von Koh. 12.12, wo im Namen R. Acha bar Ullas gesagt wird: Wer die Worte der Weisen verspottet, wird mit siedendem Kot gerichtet.

<sup>24</sup> Nach Tertullian de anima 57; Ps. Cyprian de rebaptismate 16; Epiph. 21 haben die *Simonianer* mantische Beschwörungen ausgeübt.

<sup>25</sup> Vg. auch Levy: WB. zu Talmud und Midrasch IV, 438.

würde zudem die Begründung aus Ps. 55.24 völlig unverständlich, dass seine Schüler zur Hölle fahren, weil Gott die "Mörder und Betrüger" schon nach halber Lebensdauer in die Grube stürzt. Aber nach den Pseudoklementinen (Rec. 3.63) ist Simon wirklich ein Mörder, denn er hat einen Knaben ermordet, dessen Seele ihm nekromantische Dienste leisten soll, und insgesamt werden in den Klementinen 14 verschiedene Betrugswunder von ihm ausführlich beschrieben.

Derselbe Schriftbeweis aus Ps. 55.24 dient in Sanh. 106b dazu, das Alter Bileams auf 33 Jahre anzusetzen: "Ein Minäer sagte zu R. Chanina (bar Chama): Hast du vielleicht gehört, wie viele Jahre Bileam alt geworden ist? Er antwortete: Geschriebenes gibt es nicht; aber es heisst ja: Mörder und Betrüger werden ihre Tage nicht auf die Hälfte bringen. Danach würde er 33 Jahre alt geworden sein.— Da sagte er: Du hast richtig geredet, denn von mir selbst wurde eine Chronik Bileams gelesen in der stand 33 Jahre war בלעם חנידא, als ihn פנחס ליטאה tötete."

Dieses nach der Haggada Ende des 2. Jahrhunderts in Sepphoris stattgehabte Gespräch ist schwer verständlich. Mit der biblischen Bileamsgestalt hat dieser Bericht offensichtlich nur soweit zu tun, als er eine apokryphe Tradition voraussetzt die mit der Bileamgeschichte künstlich verknüpft ist. Diese liegt im Targum ps. Jon. zu Num. 31.8 vor:<sup>26</sup> "Und Bileam, den Sohn Beors, töteten sie mit dem Schwerte." Als Bileam, der Böse, sah, dass Pinchas, der Priester, ihn verfolgte, machte er Gebrauch von Zauberworten und flog in die Luft. Aber Pinchas sprach den grossen und heiligen Namen aus and flog ihm nach. Er ergriff ihn beim Haar, brachte ihn auf die Erde zurück, zog sein Schwert und tötete ihn.

Diese beiden Geschichten — die Erzählung des Targums ist deutlich in Sanh. 106b vorausgesetzt — haben, soviel steht ohne weiteres fest, mit dem biblischen Bileam ursprünglich nichts zu tun. Sind sie ohne jede andere Ursache Bileam nur deshalb angehängt worden, weil die Haggada Phantastisches liebt und

<sup>26</sup> Parallelen mit gewissen Abweichungen sind aufgeführt bei Ginzberg: *Legends* VI, 144. — Die Geschichte ist schliesslich auch im Toldoth Jeschu (III, 28–30) verarbeitet worden.



die Rabbinen sich das Ende des antisemitischen Bösewichts näher ausmalen wollten?<sup>27</sup> Oder aber sind sie deshalb auf den biblischen Bileam rückübertragen worden, weil ein nach ihm genannter Anderer der wirkliche Held dieser Geschichten gewesen ist? Ich glaube, dass das letztere der Fall ist und jener "Andere" niemand anderes als der Magier Simon war.

Ich stelle die Indizien zusammen, die für diese Annahme sprechen können:

Die Sage, dass Bileam durch Zauberkünste in die Luft geflogen und Pinchas ihn zu Fall gebracht habe, erinnert stark an die Geschichte von dem verunglückten Flugversuch — als einem Wettkampf — des Magiers Simon in Rom mit dem Apostel Petrus, so dass eine gewisse Abhängigkeit angenommen werden darf.<sup>28</sup> Für Bileam ist das eine späte Sagenbildung; für Simon Magus wird die Geschichte wohl im 2. Jahrhundert aufgekommen sein. Wahrscheinlich hat sie in dem verlorenen ersten Teil der grosskirchlichen *πράξεις Πέτρου* (Acta Petri) gestanden.<sup>29</sup> Weil die Geschichte von so vielen Schriftstellern und in so vielen Variationen erzählt wird, sind manche Forscher sogar geneigt, einen gewissen Wahrheitskern in der christlichen Simon Magus Sage anzunehmen.<sup>30</sup> — In der uns erhaltenen lateinischen Über-

<sup>27</sup> Das haben sie andernorts weidlich getan. Vgl. Sanh. 106a, wo es heisst, dass Bileam sämtliche vier Todesarten: Steinigung, Verbrennung, Tötung durchs Schwert und Erdrosselung erlitten habe.

<sup>28</sup> Dieser Meinung sind Krauss: *Leben Jesu* 1902, 175, 268; Ginzberg: *Legends of the Jews* VI, 144; Heller: *MGWJ.* 1932, 38 u. a.

<sup>29</sup> Nach der — von C. Schmidt freilich bestrittenen — Meinung von H. Waitz liegen die Acta Petri resp. ihr verllorener erster Teil bestimmten Partien der Klementinen zugrunde. Diese (Hom. 2, 32; Rec. 2, 9, 46) berichten auch davon, dass Simon Magus die Kunst des Fliegens verstanden habe. Zwar wird der Himmelsflug Simons erst von Schriftstellern des 4. Jahrhunderts ausführlich erzählt; doch glaube ich mit Lipsius, Hilgenfeld, Waitz, Schmidt u. a., dass die älteste Sagengestalt vom Ende des Magiers schon im 2. Jahrhundert schriftlich fixiert worden ist. — Die Acta Petri werden jetzt übrigens von Schmidt (*ZNW.* 1930, 159 ff.) in die Zeit des Kaisers Commodus (180–192) datiert.

<sup>30</sup> Die Quellen sind am ausführlichsten von R. A. Lipsius in seinem teilweise immer noch brauchbaren Buch *Die Quellen der römischen Petrussage*, Kiel 1872, 85–93 behandelt. — Die Geschichte, die Sueton (Vita Neronis 12) von dem unglücklich ausgefallenen Flugversuch eines Gauklers unter Nero



setzung der alten Acta Petri, den sog. Actus Vercellenses cap. 32 (Acta Apostolorum Apocrypha, ed. Lipsius — Bonnet 1, Leipzig 1891, 82) lautet die Geschichte folgendermassen:

<Und siehe, er (Simon Magus) wurde in die Höhe gehoben und alle sahen ihn über ganz Rom, seine Tempel und Hügel, fliegen . . . Und Petrus sah das wunderbare Schauspiel und schrie zu dem Herrn Jesus Christus: Wenn du diesen ausführen lässt, was er unternommen hat, so werden jetzt alle, die an dich gläubig geworden sind, geärgert werden und es werden die Zeichen und Wunder, die du ihnen durch mich gegeben hast, unglaublich sein. Erzeuge, o Herr, schnell deine Gnade und (mache), dass er von oben herabfällt, lahm werde und nicht sterbe, sondern (nur) unschädlich gemacht werde und den Schenkel an drei Stellen breche. — Und er fiel von oben herab und brach den Schenkel an drei Stellen.>

Da Simon Magus in der Fortsetzung aber dennoch an den Folgen des Sturzes stirbt, scheint mir die Übertragung der Simongeschichte auf Bileam recht wahrscheinlich zu sein. Die jüdische Einkleidung lässt an die Stelle der Anrufung Jesu gegen die Magie Simons den Schem ha-mephorasch treten, mit dem Pinchas die gleiche Zauberei Bileams durchbricht. Das mantische Motiv ist also unverändert beibehalten worden, dass Pinchas sich ebenfalls in die Luft erhebt, nur eine gröbere Versinnbildlichung der Überlegenheit Gottes über die Zauberei, die freilich auf der Ebene der Zauberei erfolgt.

Dafür dass bei den Rabbinen Bileam ein Decknamen für Simon Magus gewesen ist, sprechen aber auch noch einige Einzelzüge in diesen Geschichten:

Zunächst Bileam חזירא: Dass Bileam lahm gewesen sei, ist der Bibel völlig unbekannt. Aber nach dem Bericht der Petrusakten (und der Const. Apost. VI,9) ist Simon Magus bei seinem Himmelsflug — auf das Gebet des Petrus hin, er möge sich die Knochen brechen — abgestürzt und hat sich ein Bein gebrochen (nach C. A. Hüfte und Füsse). Solchermassen *lahmgeschlagen*, stirbt er erst nach einigen Tagen resp. begeht er nach dem

erzählt, hängt wahrscheinlich mit der Luftfahrt Simons zusammen, die von den Petrusakten auch in die neronische Zeit gelegt wird.

jüngeren Marcellustext (ebenso Arnobius Adv. gentes 11,12) Selbstmord, indem er sich von einem hohen Berg herabstürzt. Die "Chronik Bileams," in der Chanina bar Chama von seiner Lahmheit gelesen hat, werden mithin die alten Πράξεις Πέτρου gewesen sein. In ihnen dürfte auch die Angabe von Simon Magus Lebensalter gestanden haben, für die es sonst kein Zeugnis gibt. Der Talmud (Sanh. 105a) muss erst eine sehr gekünstelte Exegese von Num. 23.3 vornehmen, um Bileam ein lahmes Bein zulegen zu können. Weil aber die Lahmheit Simons zur Sagengestalt gehört, musste auch der biblische Bileam lahm erklärt werden.<sup>31</sup>

Schliesslich hat die Tötung Bileams durch Pinchas פנחס viele Federn in Bewegung gesetzt. J. Perles<sup>32</sup> erklärte den seltsamen Beinamen Listaea als eine Verkürzung von Pelistaea. Herford a. a. O. 73 f. und Strack a. a. O. 42 — um die Gleichung Bileam = Jesus halten zu können — als eine Verderbung aus Pontius Pilatus (!). Wahrscheinlich wird Bacher<sup>33</sup> im Recht sein, dass פנחס = λήστῃς zu nehmen ist. Aber er kann nicht überzeugend erklären, wieso der von der Tradition (vgl. z. B. Sifre Num. § 131 zu 25, 11; Sanh. 82b u. ö.) stets positiv beurteilte Priester Pinchas ein Räuber genannt worden ist. Nach unserer Theorie dürfte dieses weniger schmeichelhafte Attribut von Petrus her auf ihn übertragen worden sein. In den Petrusakten ist Simons Sturz aus der Luft eine Folge des Gebetes Petri, der als der überlegene Goët die Engel des Satans, die den Magier in den Lüften halten, dazu zwingt, diesen fallen zu lassen. Weil man sich ein derartiges Zauberwunder nicht anders erklären konnte, als dass Petrus sich widerrechtlich sc. durch Raub — in den Besitz des Schem ha-mephorasch gesetzt haben müsse, ist bei der rabbinischen Rückübertragung aus dem Petrus, der Simons Sturz aus der Luft verursacht hat, der

<sup>31</sup> Keinerlei Widerlegung verdient der Versuch Stracks a. a. O. 42, die Lahmheit Bileams auf Jesus zu übertragen, weil auch die Toldoth Jeschu Jesus bei einem Flugversuch lahm werden lassen. Die Toldoth haben natürlich erst die Bileamstellen, von denen wir ausgingen, und die christliche Simon Magus-Sage für ihr Jesuszerrbild ausgeschlachtet.

<sup>32</sup> Zur rabbinischen Sprach- und Sagenkunde, Breslau 1873, 37.

<sup>33</sup> JQR. 1891, 356.

“Räuber Pinchas” geworden, der den Bileam tötet.<sup>34</sup> — Freilich muß dazu noch in Rechnung gestellt werden, daß auch die Nachricht Num. 25.14 von der Erschlagung Simris des Simeoniten (!), von der Haggada weiter ausgesponnen und Tanch B. בלק § 30 par. dem Eiferer Pinchas, Sohn des Hohepriesters, angehängt worden ist. Wir sehen also, daß hier verschiedene Erzählungsstoffe zu einer neuen Geschichte zusammengefloßen sind.

Dass schliesslich die These, Bileam sei in mischnischer Zeit ein Deckname für Simon Magus gewesen, auch ihre Konsequenzen für den bezeichnenderweise gleichfalls Unzucht und Götzendienst repraesentierenden “Bileam” des Neuen Testaments (Apoc. Joh. 2.14 f.; 2 Petri 2.15; Juda 11) haben würde, sei nur noch am Rande angemerkt.

\*

Alles hier Vorgetragene bleibt natürlich nur Hypothese. Dass hinter der talmudischen Bileamgestalt der Samaritaner Simon Magus zu suchen ist, hat in *jedem* Fall eine grössere Wahrscheinlichkeit als die Beziehung auf Jesus vorzunehmen. Andererseits gibt es eine grössere Zahl anderer “Bileam”-Stellen, die eindeutig nur haggadische Ausschmückungen der biblischen Perikope sind, die ja auch besondere Eignung hat, die Phantasie des Lesers in Bewegung zu setzen. Und der Einwand, ob zuletzt nicht auch die von uns behandelten Stellen doch nur als Haggadoth über den biblischen Bileam ohne jeden Nebensinn und ohne alle Typologie zu nehmen sind, kann auch durch diese Darlegungen nicht ganz entkräftet werden. Es muss bei der Eingangsfeststellung bleiben, dass Midrasch und Haggada kein geeignetes Material für exakte historische Beweisführungen geben.

<sup>34</sup> Die von Z. Frankel: *Vorstudien zu den Septuaginta*, Leipzig 1841, 187 vorgebrachte These, dass die Sage vom Ende des Simon Magus sogar in die Schlussredaktion des LXX Textes zu Jos. 13.22 eingedrungen sei, basiert auf einer sprachlich falschen Voraussetzung; vgl. M. Margolis: Τετρωπομένους Joshua 11.6 in *Journal of Biblical Literature* 1914, 289.

## ORIGINAL SIN

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THE doctrine of original sin, which in varying forms figures in Jewish as in Christian thought, derives its vitality from the raw facts of life, and involves both the nature of man and the justice of God. The Bible exalts man as the child of God, stamped with His image and likeness. He is but a little lower than the angels, crowned with glory and with honor. He is capable of deeds of mercy and compassion to the point of complete self-effacement. He often sacrifices himself upon the altar of truth and of goodness. He also shows himself base and cruel, exhibiting traits of savagery that would shame the beasts, and sinking to abysmal depths of degradation. His self-centeredness and his antagonism to others blight his own life and fill the world around him with sorrow. He delights in sadistic pleasures, and employs his gifts of mind to inventing fiendish instruments for the torture of his fellowmen. He aspires after God, and he goes the way of the devil. He strives after freedom of the spirit, and seeks to widen the horizon of truth and of justice. He builds centers of light and of healing to redeem the helpless and the forlorn. He also erects prisons for the human intellect, and darkens the world with falsehood. He constructs torture chambers and horror camps for the extermination of his fellowmen. He uses the richest fruits of knowledge for the "scientific" destruction of the minds and bodies of infants and greyheads.

How can we account for the frightful malignity which appears to fester at the core of human nature? How does man come to create yawning pits of hell in the heart of civilized society? And why are his finest intellectual achievements turned into threats to his own existence, and his hopes perpetually blasted? Why does he, the child of God, erect barriers between himself and his Father, and blind himself to the visions of truth,

of goodness and of holiness? Being so general in every age and in every country, human depravity, it is claimed, cannot be charged to individual guilt. Some condition common to all mankind must be responsible for the corruption of human nature. Parsism and Manichaeism resolved the difficulty by their dualistic conception of the universe. The principle of evil ever contests the principle of good for the government of the world. Man's depravity is the natural effect of the struggle between Ahriman and Ormuzd. From the standpoint of monotheistic religion, seeking to establish the unitary rule of creation, the problem is more difficult. Is not God, the author of all existence, responsible for His creatures? Does not the evil nature of man reflect upon the goodness and omnipotence of God?

Christianity, following certain trends in Judaism, advanced the view that the moral taint which mars human nature is not in reality the work of God, but the result of a tragic error committed by the first parents of the race. Through the teachings of Paul and Augustine, this view was crystallized into the doctrine of the Fall and Original Sin, which, despite some opposition, became pivotal in Western Christianity. Judaism similarly grappled with the problem of the universality of guilt, without assigning to it the importance which it occupies in Christianity.

### I. THE PARADISE STORY

The focus of all theological speculation on this subject is Genesis chapter three, which may be regarded as one of the most influential biblical chapters in human thought. Contrary to the uses made of it by Paul and his followers, the Paradise story contains no doctrine of the fall of the race through Adam, of the moral corruption of human nature, or of the hereditary transmission of the sinful bias. It represents an aetiological myth, accounting for the origin of human labor, for the natural abhorrence of man for the serpent, for the consciousness of sex, for the pains of parturition, for the subjection of woman to her husband, and for human mortality. It seems to form part of a legendary history of civilization from the Jahwistic viewpoint, and must

be read in connection with Genesis 4 and 11, which deal with the invention of the arts, the progress of civilization, the building of the tower of Babel and the variation of the languages of man. The interest of the ancient thinker centers primarily in the physical ills of mankind, and he seeks their explanation in religious causes. He links the pains of life with the thirst for knowledge of the beneficial and the hurtful, i. e., the knowledge that gives man mastery over nature, from the standpoint of the nascent ethical religion of Israel.

The story is related to the myths of primitive peoples in various parts of the world, dealing with the mystery of death, and assumes like them that man would have been deathless if he had not committed a disastrous blunder. In some instances the most trivial incident suffices to explain the origin of death.<sup>1</sup>

Jahweh's jealousy and his apprehension lest man become like "one of us," imply a polytheistic background of the Paradise story. We naturally turn for parallels to Semitic mythology. While no exact parallels have come down, there are some elements in old Babylonian literature that are instructive.

A very slight resemblance to it appears in the Etana legend, which tells of a hero who sought to obtain something that would ease the pains of parturition of his wife. He was carried by an eagle to the heaven of Anu. On the way he changed his mind and decided to go back to earth. Both he and the eagle fell down together to their death to the ground.<sup>2</sup> The only resemblance to the biblical story consists in dealing with the pain of childbirth. As to whether the indecision of the hero, which brought death upon himself and the eagle, also initiated the mortality of all men is not indicated in the legend.

The Sumerian legend of Tagtug comes closer to the biblical tale. It contains a description of the primeval paradise, Dilmun, which included Eridu in the mouth of the Euphrates. (Some interpreters consider it to be a description of the earth prior to

<sup>1</sup> For an analysis of Gen. 3 and 6.1-4 in the light of primitive lore see Samuel S. Cohon, "Origin of Death," *Journal of Jewish Lore and Philosophy*, 1919, pp. 371-396.

<sup>2</sup> R. F. Harper, *Assyrian and Babylonian Literature*, pp. 318-23.



the bestowal of civilization upon mankind by Enki). Enki "decreed for ever the fate of the plants" of Dilmun. A list of trees is named which Tagtug may eat. S. H. Langdon supposes that a line followed regarding a forbidden tree from which he was not to eat. Tagtug broke the taboo, and brought upon himself the same curse as Adam did by partaking of the tree of knowledge. The problematical nature of this interpretation is apparent, and Langdon himself warns that it must be accepted with caution.<sup>3</sup>

Somewhat more definite and closer to the biblical narrative is the myth of Adapa. One version of it figures as an incantation for the healing of the sick. It implies that the disease, which the magician endeavors to heal, was caused not by the sin of the patient, but by Adapa, who brought death and pain into the world in an age when sorrow was unknown in Paradise. The story runs that Adapa of Eridu, famed as a sage, was endowed by Ea with godlike wisdom, enabling him to "perceive the things of heaven and earth," and with a cunning mind, to "give names to all concepts on earth," but withheld immortality from him. One time as he went fishing, the south-wind drove his sailing boat into the wide sea, ducked him under, and made him sink to the dwelling of the fishes. In his anger Adapa broke the wings of the south-wind so that it did not blow for seven days upon the land. Thereupon Anu, the king of the gods, ordered that Adapa appear before him. Ea clothed him in mourner's garments, and counselled him that on arriving at the gates of Anu, he should explain to Tammuz and Ningishzida that he mourns the dying gods of fertility. They will look at each other in astonishment and pleasure, and speak kind words on his behalf to Anu and thus win for him Anu's good favor. At the same time Ea impressed upon him that when standing before Anu, he will be offered "bread of death" to eat and "water of death" to drink, which he must refuse. Thus Ea's jealousy showed itself. He does not wish Adapa to obtain immortal life, and therefore deceived him by misrepresenting the food and the drink, which were in reality the magic food of eternal life. Ea also advised Adapa that when the gods offer him a garment he shall put it

<sup>3</sup> *The Mythology of all Races*, Vol. V. Semitic, p. 200.

on, and with the oil that they shall offer him he shall anoint himself. Consequently, when Adapa refused the food which would have made him an immortal, Anu ordered him back to earth, deprived of eternal life.

Langdon remarks that this doctrine regarding the way in which mortality became the lot of mankind "arose in the orthodox priesthood as a defence of divine providence, when a Babylonian school of philosophers challenged the ancient teachings of the Sumerians, who held that the gods are good and just. It was not they who sent disease and sorrow into the world, not they who created man to die, but pain and mortality originated in the ignorance of a great ancestor, tricked by the jealousy of a god, and so passed forever the great opportunity of mankind."<sup>4</sup>

Though the two stories are markedly different in form, they combine a number of common features. The jealousy of a god is the motif in both. The gods of fertility, Ningishzida and Tammuz, figure in one, and the serpent which in Sumerian mythology serves, as the symbol of fertility and is associated with the fertility gods, in the other. Finally both of them exonerate the gods from creating the evils which plague life and trace it to a blunder on the part of an early hero.

Obvious similarities to these stories are found also in the Greek legend of Prometheus. The form, in which it came down in Hesiod and in Aeschylus, represents a fusion of a number of stories. The account of Prometheus, deceiving Jove's wisdom and stealing fire from heaven for the benefit of man, and only bringing him evil, is combined with the independent tale of Pandora, the first woman, from whom descended the "pernicious race, and tribe of women." Jove gave women as "an evil" to men, "helpmates of painful toils."<sup>5</sup> Aeschylus pictures Prometheus as stealing the fire from the cruel Zeus out of sympathy for the wretched lot of men, and teaching them many arts whereby they might advance from their savage animal life to civilization. Though completely different from the Paradise

<sup>4</sup> *Ibid.*, p. 183.

<sup>5</sup> "Theogony," *Bohn's Classical Library*, pp. 585 ff.; "Work and Days," pp. 52 ff.

story, it shares with it the thought that the ills of human life stem from man's overstepping the bounds of humanity and invading the domain of the gods. Both stories consider knowledge as wrenched from the deity, jealous of human encroachment, whether by a superhuman being or by a crafty animal. Both of them further imply that human knowledge is a kind of arrogance, and "see in ὕβρις the primal sin."<sup>6</sup> The Pandora legend bears obvious similarity to the story of Eve in picturing the first woman as the source of human woe.<sup>7</sup>

These remote parallels throw some light upon the Genesis story. What was Adam's sin? It consisted not merely in his breaking the divine command but, in breaking it in such way as to overstep the limits of his humanity and to encroach upon the domain of Jahweh, an idea which recurs in the Bible. It reappears in the story of the building of the tower of Babel (Gen. 11.1-9) and in the prophets (Isa. 2.7-22; 10.12 ff., 33; 14.13 ff.; 22.11; 37.23 ff.; Ezek. 28.2 ff.). Deut. 29.29 voices the thought that some secret things pertaining to the future may be known only by God. Job 28.12-28 exalts wisdom as "hid from the eyes of the living" (Cf. 21.22; 38.16 ff.). The author of Proverbs glorifies it as the possession of God, His special delight and the instrument of His creation, which, at His pleasure, He discloses to men (3.19-20; 8.22-32; 2.6).<sup>8</sup>

The breaking of the taboo led to no fundamental alteration in the moral condition of Adam and Eve, but only to their acquisition of a sense of shame at being naked in place of their original state of blissful ignorance and childlike innocence. Furthermore, this sense was awakened in them not in consequence of their new born consciousness of guilt, but as the magic effect of partaking of the fruit of the tree of knowledge. The transgression, we are told, was followed by the pain of child-

<sup>6</sup> F. R. Tennant, *The Sources of the Doctrine of the Fall and Original Sin*, p. 52.

<sup>7</sup> It is instructive to find elements of the Pandora legend in Haggadic illustrations of Eve's offence. Gen. R. 19.10 and notes by Theodor; Abot of Rabbi Nathan, I.1, II.1, p. 6; Pirke R. Eliezer, 13.

<sup>8</sup> See C. H. Toy, *International Critical Commentary, Proverbs*, p. 128; Tennant, *op. cit.*, p. 16, n. 7.

birth, of labor, etc. No mention is made of any loss of the spiritual capacity of communion with God or of the perversion of Adam's nature. On the contrary Jahweh admits that the disobedience made them godlike. "The man has become like one of us." He attained the condition that exclusively belonged to the gods. While the biblical story does not specifically state that Adam was created immortal, it implies that he was capable of becoming immortal. To forestall his appropriation of the next attribute of deity — immortality — by eating of the tree of life, Jahweh expelled him together with Eve from Eden, and inflicted punishment upon all three participants in the offence. The story does not suggest that Adam's sin was transmitted to his descendants or that it in any way accounts for their tendency to sin. The Jahwist source indeed emphasizes the general diffusion of moral evil (Gen. 4; 6.5-8, 12; 8.21; 9.20-27; 11.1-9). However, this condition prevailed at a particular time, and did not permanently vitiate the nature of man.

The Jahwist concerns himself with the origin of death and suffering rather than with the origin of human sinfulness. That he also reflected upon the gravity of sin is not to be denied. He conceives of sin as a power external to man, and personifies it as a beast "crouching at the door" (of the heart?). Sin is trailed by suffering. It is not an isolated act, but a state of consciousness, so that one sin leads to others. The author's despairing view of human nature is reflected in his statement that "Jahweh saw that the wickedness of man was great in the earth, and that every imagination of the thoughts of his heart was only evil continually" (Gen. 6.5); and again that "the imagination of man's heart is evil from his youth" (8.21). He does not assume the responsibility for his offsprings' disposition to evil, but only states it as a sorrowful reflection on human nature. These verses subsequently served the Rabbis as biblical support for their doctrine of the *Yezer*, but they establish no connection between the sin of Adam and the disposition to evil. Generally the Jahwist document treats sin as "a voluntary act or a habit resulting from such acts."<sup>9</sup>

<sup>9</sup> Tennant, *ibid.*, p. 98.

What use was made of the Paradise story in the rest of the Bible? The answer is: hardly any. The Jahwist himself does not seem to have connected it with the rest of his narrative. Cain's sinfulness is not treated as an inheritance from his parents, for his brother Abel was well pleasing to Jahweh. His guilt and responsibility are distinctly his own. He is warned that "sin croucheth at the door, and unto thee is its desire." While it lurks for its prey, "thou mayest rule over it" (Gen. 4.7). So too the curse of Lamech followed his own guilt rather than the hereditary taint of his forefather. Likewise, the increase of wickedness, which brought on the flood, was not linked with the transgression of Adam. All that may be said is that Adam's transgression was the first manifestation of sin, but not the cause of the sinfulness of his offsprings. The Elohist portrays Noah as perfect and righteous, who, like Enoch, "walked with God," indicating that the corruption which spread before the flood represented a bad condition of the time rather than the normal state of humanity derived from Adam (Gen. 5.24; 6.9-12). The Priestly document, too, nowhere intimates that the divine image, with which Adam was marked, vanished at the fall. All sources present Abraham as a man of stainless character. The prophets denounce sin, not as a hereditary infection, but as the fruit of man's moral vacillation and failure to recognize the sovereignty of God and to do His will. Jeremiah bemoans the weakness of the human heart and its deceitfulness (17.9; cf. 7; 31.26 ff.; Ezek. 18). The suffering of the people during the Exile accentuated the consciousness of guilt, both of the nation and of the individual, in view of the growing recognition of the solidarity of the community, on the one hand, and of personal responsibility on the other. Job stresses the impurity of man, the creature, by the side of God, the Creator (4.17; 14; 15.14-15; 25.4). Prov. 20.9 muses that "there is no man that sinneth not" (also I Kings 8.46; II Chron. 6.36; Eccl. 7.20). The Psalmist meditates: "If Thou, O Lord, shouldst mark iniquity, O Lord, who shall stand?" (130.3; also 143.2). Ps. 51.7 confesses the frailty of human nature:

"Behold, I was shapen in iniquity  
And in sin did my mother conceive me."

He does not suggest the sinfulness of the act of generation, but rather the general instability of the race of humans, who are prone to sinfulness from the very womb (Cf. Isa. 6.5; 43.27; 48.9; 57.3).<sup>10</sup> That he does not imply that an ineradicable taint attaches to human nature is evident from the sequel in which he assumes that man may enjoy the state of spotless purity. Hence he prays for Divine forgiveness, and pleads: "Greate me a clean heart, O God, and renew a steadfast spirit within me."

The allusions, which some commentators found to Adam's sin in Hos. 6.7; Isa. 43.27; Job 31.33 and Ps. 82.7, are without scientific foundation.<sup>11</sup> A vague tradition about the Garden of Eden and its guarding cherubim figures in Ezek. 28, which like the Genesis story, reflects Babylonian mythology. It is referred to as a "divine abode" and a "garden of God," i. e., a private reserve of God on some mountain in the North (also 31.8, 9; cf. Isa. 14.13; Ps. 48.3). Ezekiel's Eden, it has been suggested, resembles the mountain of Mashu in the Gilgamesh epic, which contained a tree, bearing costly stones, "dazzling the eye" (cf. Ezek. 28.13-16, also Gen. 2.12):

"Diamonds (?) it bore as fruit,  
Branches were hanging (down?), beautiful to behold.  
Crystal (antimony?) the branches bore."<sup>12</sup>

Ezekiel compares the prince of Tyre, boasting of his divinity, proud of his wisdom, riches and glory, to a legendary dweller of the Garden of God, whose clothing was adorned with precious

<sup>10</sup> T. K. Cheyne, *The Book of Psalms*, *ad loc.*; Z. P. Hayyes, *Perush Mada'i: Tehilim*, *ad loc.*

<sup>11</sup> Equally groundless is the supposed reference to Adam's wisdom in Job 15.7 f. It probably refers to a legend about the first man acquiring wonderful knowledge by virtue of his access to the council of God; cf. Jer. 23.18; Ps. 89.8. The name Garden of Eden, in Isa. 51.3 and Joel 2.3, the figure "tree of life" in Prov. 3.18; 11.30; 13.12, and the related "fountain of life" in Ps. 36.10; Prov. 10.11; 13.14; 14.27 are mere verbal elements coming from the same stock as the folk tale in Genesis. Similarly Job 34.15; Ps. 90.3; Eccl. 12.7, which speak of man's return to dust, and Isa. 65.25; Micah 7.17, which allude to the serpent's eating dust, express common beliefs and do not necessarily point to the Genesis story. Neither does Eccl. 7.29 point to the change of character that set in because of the fall.

<sup>12</sup> Tablet IX in Harper, *op. cit.*, pp. 344-45; Tennant, *op. cit.*, p. 63.



stones, and who, on account of his over-bearing, was expelled from the divine abode. While the phraseology of this chapter contributed to the later portraiture of Adam and of Eden, it indicates no direct dependence upon Gen. 3.

Furthermore, the theodicy of the Bible completely ignores the fall. The suffering of the righteous is nowhere justified on the ground of the sinfulness transmitted by Adam to his posterity. Job, dealing with the relation of sin to divine retribution, ignores the Paradise story, indicating that at the time of the composition of the book no theological inferences were drawn from it.

## 2. THE FALL AND ORIGINAL SIN IN THE APOCRYPHA

Only in Apocryphal and Pseudepigraphic Jewish writings does the Paradise story begin to figure as the basis for speculation regarding the origin of death and of sin.<sup>13</sup> The first discussions of this subject appear in the book of Ecclesiasticus. Sirach hues to the line of biblical teaching, emphasizing the universality of human guilt (8.5), and stressing the fatal character of sin. Sometimes he personifies sin as a serpent and as a lion, and sometimes he speaks of it as a two-edged sword, which slays the souls of men (21.1-3; 27.10). He treats sin as an external force, and definitely links it with Eve. "From a woman did sin originate, and because of her we all must die" (25.24). However, this idea is completely isolated, and contrasts with the general trend of the book to regard mortality as a law from everlasting (14.17; 17.1-2; 40.11). The full consequences of this statement are not drawn by him nor formulated into a doctrine of original sin, i. e., of the transmission of sinfulness from the first parents of the race. Instead, Sirach advances the doctrine of the Yezer as the source of human sinfulness. After restating the biblical account of the creation of Adam and Eve, he adds:

"He clothed them with strength like unto Himself  
And made them according to His own image.

<sup>13</sup> All citations of this literature are from Charles's edition of the Apocrypha and Pseudepigrapha, 2 Vols., Oxford, 1913. The New Testament quotations are from Edgar J. Goodspeed's translation. Univ. of Chicago Press.

He put the fear of them upon all flesh,  
 And caused them to have power over beasts and  
 birds.  
 With insight and understanding He filled their heart,  
 And taught them good and evil.  
 He created for them<sup>14</sup> tongue and eyes, and ears,  
 And He gave them a heart to understand,  
 To show them the majesty of His works,  
 And that they might glory in His wondrous acts . . .  
 He set before them the covenant;  
 The law of life He gave them for a heritage . . .  
 And He said unto them, beware of all unrighteousness"  
 (17.1-14).

Sirach continues:

"Their ways are before Him . . .  
 Their iniquities are not hid from Him . . .  
 Nevertheless to them that repent doth He grant a return  
 And comforteth them that lose hope"  
 (vss. 17-24).

His reference to the Yezer in vs. 31 ("the inclination of flesh and blood") does not imply that man is morally corrupted because of Adam's fall or of God's punishment. Sirach conceives of the Yezer in a neutral sense, containing the power to do right or wrong, i. e. free will.

Repudiating the earlier belief that God was the cause of man's sin,<sup>15</sup> Sirach teaches:

"Say not from God is my transgression,  
 For that which He hateth made He not.  
 Say not: '(It is) He that made me to stumble,'  
 For there is no need of evil men . . .  
 God created man from the beginning,  
 And placed him in the hands of his Yezer.

<sup>14</sup> The Greek reads *διαβούλιον* — Yezer. Moses Z. Segal, *Hochmat Ben Sira* and A. Kahana, *Hasefarim Hahizonim*, III, read: *Yezer v'lashon*, etc.

<sup>15</sup> E. g., Ex. 4.21; 7.3; II Sam. 24.1; Jer. 6.21; Ezek. 3.20.

If thou (so) desirest, thou canst keep the commandment,  
 And (it is) wisdom to do His good pleasure.  
 Poured out before thee (are) fire and water,  
 Stretch forth thine hand unto that which thou  
 desirest.  
 Life and death (are) before man,  
 That which he desireth shall be given to him.  
 Sufficient is the wisdom of the Lord . . .  
 He commandeth no man to sin"

(15.11-20).

Instead of being an inheritance from Adam, sin is the result of man's own wrong choice. "He that keepeth the Law controlleth his natural tendency" or Yezer (21.11). Thus Sirach avoids concluding in the same manner as the Rabbis subsequently did, that sin is hereditary by stressing the doctrines of freedom, of the saving power of the Torah and of repentance.

A different approach appears in the apocalypse of I Enoch. Like Sirach the author of this mystic work opposes the idea that God causes man to sin, but instead of ascribing sin to man's free will, he charges it — under Parsi influence — to Satan. As the ruler of the counter kingdom of evil (which is nonetheless a kingdom subject to the Lord of spirits), he misguided the angels and made them his subjects (54.6; 69.5). The fallen angels or satans misled the sons of God by means of the daughters of men (Cf. Gen. 6.1-4). One of them led astray Eve and showed men all the blows of death and the weapons of war. Another satan taught men pleasure and all the secrets of wisdom. He instructed mankind in the art of writing, "and thereby sinned from eternity to eternity and until this day. For men were not created for such a purpose, to give confirmation to their good faith with pen and ink." This is the mystic's version of the biblical story of Adam's partaking of the fruit of the tree of knowledge. He continues: "For men were created exactly like angels, to the intent that they should continue pure and righteous, and death, which destroys everything could not have taken hold of them, but through this their knowledge they are perishing, and through this their knowledge they are being consumed." The

author further charges all sinfulness to Azazel, who "taught all unrighteousness on earth" and disclosed all heavenly secrets to men (8.1 ff.; 9.8; 10.8).

A contrary view is expressed in other portions of the book of I Enoch. Sin is sent neither by God nor by his lieutenant, Satan. All sin is of one's own devising. It is neither inherited from Adam nor unavoidable, but voluntary, and, therefore, subject to punishment (98.4; 9.14).<sup>16</sup>

Elements of the first view of I Enoch are fused with the rationalized version of the Genesis story in the Wisdom of Solomon. Originally death formed no part of God's plan of creation (1.13), and man, fashioned in God's likeness, was destined for a deathless existence. "But the ungodly by their hands and words called him unto them," i. e., the apostate Jews taking part in the pagan mysteries threw themselves into the arms of death. "They made a covenant with him (cf. Isa. 28.15) because they are worthy to be of his portion" (2.13-14, 16). Sin and death were introduced from without.

"God made man for incorruption (i. e., for immortality)  
And made him an image of His own proper being;  
But by the envy of the devil death entered into the world,  
And they that belong to his realm experience it"

(2.23-24).

As in I Enoch the serpent of the biblical story is replaced with the devil. The connection between the two, in which the devil makes use of the serpent or incarnates himself in it, suggested by a Parsi source, became a commonplace of both Jewish and of Christian lore (cf. Rev. 12.9; 20.2).

What of those who do not belong to the realm of the devil? The fact of physical mortality is ignored, and attention is focused upon spiritual death or sin. The wicked were dead as soon as they were born. "But the souls of the righteous are in the hands of God, and no torment shall touch them. In the eyes of fools they seemed to die." However, "their hope is full of immortality" (3.1-4; 5.3; 10.3).

<sup>16</sup> Charles, *op. cit.*, II, p. 269, note on vs. 4.

While the elements of a doctrine of hereditary depravity are present in the book, it was left to the author of the Hellenistic Book of the Secrets of Enoch to teach definitely that sin is transmitted from Adam. Under the influence of Plato, he finds the origin of death in man's dual nature. The soul was created pure, and was not predetermined by God (as the Wisdom of Solomon 9.15 claims) either for good or for evil. It was also endowed with freedom of choice, and was shown the ways of light and darkness, of the good and the bad, and was left to shape its own destiny. But through its incorporation into the corruptible body, the soul's power of choice was narrowed and biased toward evil. Accordingly sin derives not merely from voluntary preference, but from the limitations imposed upon the soul by its connection with the body and from wrong education. Ignorance (as in Plato's teaching) is an evil in itself, which produces death (30.15-16).<sup>17</sup> These Hellenistic ideas are loosely combined with the biblical story. The devil, envious of Adam's high position as lord on earth, seduced his wife Eve, but did not touch Adam himself. In consequence God cursed man's ignorance and sin. Adam is told: "Earth thou art, and into the earth whence I took thee thou shalt go, and I will not ruin thee, but send thee whence I took thee. Then I can again take thee at My second coming," i. e., for the purpose of judging the earth (31-32).

The author of IV Ezra, who lived through the catastrophic fall of Jerusalem in the year 70 C. E., despairs of human nature. He finds an explanation of the sorrows of his time in the fall of Adam, in consequence of which God appointed death for him and for his descendants. The generation of the flood shared the fate of Adam, and was swept away by death like him. Only Noah and his righteous offsprings were spared from destruction. When their descendants resumed the practice of ungodliness, God chose Abraham and formed with him an everlasting covenant. Out of his line Jacob was set aside. To his children God showed His special favor, and gave them the Law. Resorting neither to the serpent nor to the devil, the author finds the source of evil within the human heart itself. Without explaining why

<sup>17</sup> *Ibid.*, note by Forbes and Charles, p. 450.

this *cor malignum* or Yezer was implanted in man, he traces to it the self-propagating life of sin. Not even the Law does away with the infirmity. "The Law was indeed in the heart of the people, but (in conjunction) with the evil germ; so what was good departed, and the evil remained" (3.4 ff., 20-22, 26). "The grain of evil seed was sown in Adam from the beginning," and has produced an abundant harvest of ungodliness. The "innate evil thought" leads "astray from life to death" (4.30-31; 7.92). Taking a gleamy view of human nature, in line with the School of Shammai, this apocalyptist believes that it were better had Adam not been created altogether than to have been formed without a curb on his freedom to sin.<sup>18</sup> What is the good of the promise of happiness and of immortality as reward of faithfulness, when man is doomed because of his Yezer to grief in this world and to punishment in the hereafter? "O thou Adam, what hast thou done! For though it was thou that sinned, the fall was not thine alone, but ours also who are thy descendants!" While the Law is imperishable, it is impotent to save the sinners. Indeed, it is but a mockery to a race that is doomed to sin (7.116-131; 9.32-37). The utmost that may be expected from the Law is that while the many are born to perish, the precious few shall be saved through the grace of God (8.3 ff.). In his admission of the insufficiency of the Law as the means of redemption, IV Ezra dangerously approaches the Paulinian position.

II Baruch, which has been characterized as "the most rabbinical and accurately theological of all the pseudepigrapha," was concerned chiefly with combating the notions of human sinfulness set forth in IV Ezra and possibly in the Epistles of Paul.<sup>19</sup> In opposition both to the dualistic view of the origin of evil and to the hereditary nature of sin, he stresses man's personal responsibility for his actions. While Adam "brought death and cut off the years of those who were born from him," Moses provided the means for overcoming the evil. He "brought the Law to the seed of Jacob, and lighted a lamp for the nation of Israel." It is given to each individual to choose the light of the

<sup>18</sup> Erubin 13b.

<sup>19</sup> Tennant, *op. cit.*, p. 212.



Torah, which bestows life rather than the darkness of Adam (i. e., sin), which brings death (17-19). While Adam first sinned and brought premature death upon the race, his descendants have not been deprived of the freedom to prepare for their souls' torments or glories to come.

"Adam is therefore not the cause, save only for his own soul,  
But each one of us has been the Adam of his own soul"

(54.15, 19; 56.6).

Man's sin is derived not from Adam, but from his own spiritual nature. His inclination turns evil through his own determination. Man is the captain of his soul.

### 3. THE CHRISTIAN DOCTRINE OF ORIGINAL SIN

The New Testament was produced in close connection with the circle of ideas in which the writers of the Apocryphal books moved. Nonetheless, with the exception of Paul, the authors of the New Testament pass over the subject. Jn 3.17 speaks of the redemption of the world through the Son of God, but offers no opinion of the way in which sin entered the world. The Book of Revelations utilizes the scenery of Gen. 3 and holds out the hope of the restoration of Paradise (2.7; 22.2, 14) and of the destruction of "the great dragon, the ancient serpent who is called the devil and Satan, who deceived the world" (12.9; cf. Rom. 16.20), but does not speculate about the fall and the sin of Adam.

Paul, on the other hand, not only makes use of the Paradise story (II Cor. 11.3), but elaborates a theory of the fall and of original sin, which serves as the foundation of his entire religious system. His ideas are developed in two passages. The earliest of them, I Cor. 15, concerns itself with death rather than with sin. (Sin is only hinted at in verse 3). As in the Wisdom of Solomon 2.23 ff., the apostle's interest centers in the way in which mortality entered the world and in which manner it may be overcome. "The first Adam is of the dust of the earth." Like him all earth-born creatures are perishable. The second Adam, i. e., the Messiah, is from heaven. Those who are of heaven are like

him heavenly, imperishable, immortal. The corruptible natures of the earthly creatures must clothe themselves with the incorruptible by sharing in God's kingdom. The mortal must invest himself with immortality. Then death will be destroyed (Cf. Isa. 25.8). Adam is the head of the old humanity, which is mortal; the Christ heads the new community, which is deathless. Mankind's connection with Adam, involving it in death, is the affair of heredity, and admits of no choice. The connection with the Christ is a matter of faith. Only those who through their faith share in God's kingdom through the Christ will be saved from destruction. Immortality is not man's portion by virtue of his being a child of nature — which is subject to decay — but purely as the fruit of faith, and is strictly supernatural.<sup>20</sup>

The second passage, that of Rom. 5.12 ff., deals with sin as the cause of death and with redemption from its power, and forms part of Paul's discussion of God's justice and grace. Adam's transgression marked his fall from grace. In consequence, sin as a malignant force was let loose upon the world with death as its effect.<sup>21</sup> Sin and death originated together, and they have been propagated side by side. Adam's sin was transmitted to all his descendants, i. e. all of them have been infected with the tendency to sin. Without indicating in which way the effects of Adam's sin were transmitted or defining precisely what was transmitted, Paul stresses that all men inherited from their ancestor: (1) the liability to sin as well as (2) the consequent liability to die as a punishment of sin. The Torah, which, according to Judaism, delivers from sin, in Paul's opinion only increases it, since in the absence of the Law men are not charged with transgression, or, as he expresses it in I Cor. 15.56, "It is the Law that gives sin its power." Only the effect of divine grace, as manifested in the Christ, will offset the Law, cancel the evil consequences of the fall and bring salvation to mankind. The

<sup>20</sup> A. Robertson and A. Plummer, *Intern. Critic. Commentary: First Epistle of St. Paul to the Corinthians*, pp. 330 ff.

<sup>21</sup> For Paul sin is not an isolated act nor an accumulation of acts, but a force which gained lodgement in man (Rom. 7.17), enslaving and paralyzing his will. See Bernard, art. "Sin," *Hastings' Dictionary of the Bible*, III, 535.

evil ushered in by the first Adam will be remedied by the second Adam, or the Christ.<sup>22</sup>

Paul's teaching regarding original sin implies the imputation of Adam's sin to his posterity and thus holding it responsible for it as its own, and similarly attributing the righteousness of the Christ to his followers so as to be regarded as their own and hence to be justified by it. The Roman Church formulated this idea into a doctrine. Schoolmen defended it on the ground that Adam was the moral as well as the natural head of the human race. His sin was imputed to mankind on the same principle as the actions or commitments of the head of a family or of a state are imputed to his family or state, despite the fact that they had no share in those actions or commitments. When Adam broke the covenant with God, all his descendants were involved in the transgression. In the same way the Christ took the place of all men, so that his actions were imputed to them.

The man who more than any other transformed Paul's teaching on original sin into a basic dogma of the Church is Augustine (354-430). As a former Manichaeism he was prejudiced in its favor. He developed it not only out of the teachings of Paul but also out of the ideas of IV Ezra 3.21 and 4.30. As a brand plucked from the burning by what appeared to him as an act of God's grace, he stressed the two poles of his own experience, the extreme sense of depravity and the absolute sense of God's free grace. Despairing of his own weakness, he cast all his hope upon God. While fighting Manichaeism, he never wholly shook off its effects upon him. This accounts for the pessimistic tinge of his mind. The Manichaean view that man is the creature of the devil and the hatred of human generation and of the conservation of the race shaped his thinking. The doctrine of original sin offered him the explanation for what he considered as the radical evil of human nature. He assumed the solidarity of the race with Adam, sometimes asserting the seminal existence of the race in Adam and sometimes claiming that Adam's personality and not merely his nature was shared by

<sup>22</sup> S. W. Sanaday and A. C. Headlam, *Intern. Crit. Com., Romans*, pp. 130 ff. See also Rom. 6.3-11; 8.9.

his posterity. Then, accepting the Greek idea of universals or generic concepts existing apart from their individual or particular cases, he spoke of sin which our nature committed (in Adam). By incorporating our nature in Adam, Augustine sought to establish our guilt for Adam's sin and thus overcome the Pelagian objection that there can be no sin without a person's will. He thus treated Adam as an individual and at the same time as a generic idea. Inasmuch as original sin involved guilt, the unbaptized — even unbaptized infants — incurred and would receive damnation. Commenting on Ps. 51.7, "I was shapen in iniquity, and in sin did my mother conceive me," he exclaims: "Where, I pray Thee, O my God, where, Lord, or when was I, Thy servant, innocent?" He prays: "Before Thee none is free from sin, not even the infant which has lived but a day upon the earth."<sup>23</sup>

Original sin constitutes "an infection which propagates itself from father to son through the act of generation, which being an act of organic trouble caused by sin, is sin itself and determines the transmission *ipso facto* of the sin to the new creature." It impresses itself upon the human body through the persistent stimulus of unreasonable sensuality, and also upon the soul. "Mankind is thus an agglomeration of condemned creatures which cannot acquire any merit before God, and whose hopes for forgiveness and atonement are only in the benevolent grace of the Father and the infallible decree of his predestination."<sup>24</sup> Rufus Jones remarks: "So complete is the havoc of the fall, in St. Augustine's view, that all human free will is lost, and the very faith by which a man accepts the grace won through Christ's merits is a divine gift. Those who have received the gift of such saving faith are the 'elect'; those who have not received it are the non-elect, which means 'damned.'"<sup>25</sup>

Objections to the doctrine came from various sources. The distinguished exegete Theodore of Mopsuesta (4th cent.) denied

<sup>23</sup> Confessions, I, 11; see also City of God, XIII, 14; On Original Sin, 31.

<sup>24</sup> Ernesto Bonaiuti, *The Genesis of St. Augustine's Idea of Original Sin*, Harvard Review, Vol. X, p. 163.

<sup>25</sup> *The Church's Debt to Heretics*, p. 129.

that the sin of Adam originated death, maintaining that had Adam not sinned, he would have died just the same. The strongest opposition came from the British monk Pelagius (c. 370-420) and his disciples Celestinus and Julian of Eclenum. Pelagius regarded the scandalous moral laxity, which he found in Rome at the beginning of the fifth century, as due partly to the prevailing belief that man lacked within himself the power or capacity to do good. Averse to theological speculation and interested chiefly in practical matters, he was nonetheless drawn into controversy against the type of Christianity preached by Augustine. The passage in the Confessions, which excited him to heated objection, was the prayer: "Verily, Thou commandest that I should be continent from the 'lust of the flesh, and the lust of the eyes, and the pride of life.' (I John 2.16) . . . Give what Thou commandest, and command what Thou wilt."<sup>26</sup> This seemed to encourage man to sit back lazily and to wait for virtue until it might please God to confer and bestow it. The warm sympathy of Pelagius and his followers with Stoic philosophy inclined them to emphasize the direct relationship between the human and the divine. Religion and moral goodness they considered as inherent in human nature, and they set themselves in opposition to the extreme view of the fall, of man's depraved and abjectly sinful condition and his absolute need of divine grace, doctrines which Augustine was forging out at the time. They also stood out as defenders of human nature. Pelagius took the call of Jesus upon men to be perfect as the Heavenly Father is perfect as an indication that the goal is within human reach. His favorite maxim was: "If I ought, I can." Man may live free from sin, and attain a state of purity and perfection, if he but desires it. Human nature being God's creation, cannot be as black and as vitiated as Augustine and his followers made it out to be. Each new born child enjoys the same condition in which Adam found himself before the fall, with no bias either for good or for evil, and now as then each person's fall is due to the sins which he commits. He thus follows the teachings of II Baruch. We are uninjured by Adam's sin save in so far as the evil example

<sup>26</sup> X, 41, 45.

of our ancestors misleads and influences us. In fact there is no such thing as original sin, for sin is a thing of the will and not of nature, for if it were of nature it would be chargeable to the Creator. In a letter which he addressed to the See of Rome along with his confession of faith, he wrote: "We maintain that free will exists generally in all mankind, in Christians, Jews and gentiles; they have all equally received it by nature, but in Christianity is it assisted by grace. In others this good of their original creation is naked and unarmed. They shall be judged and condemned because, though possessed of free will, by which they might come to faith and merit the grace of God, they make an ill use of their freedom; while Christians shall be rewarded because, by using their free will aright, they merit the grace of the Lord and keep His commandments."<sup>27</sup>

The Pelagian views were condemned by the Church, and Augustinianism upheld as the official doctrine on the subject. Its extreme position was tempered by Thomas Aquinas. He denied that natural goodness was forfeited at the fall, that free will was more than impaired, and that concupiscence is of the nature of sin. In his view, original sin was a disordered condition which followed the dissolution of the harmony in which original righteousness essentially consisted. Negatively, it represented the loss of original righteousness or of superadded grace. Duns Scotus went beyond Aquinas in his dissent from Augustine. In his tendency to minimize the first sin, he maintained that it had not affected human nature at all, but only the supernatural gifts that were bestowed upon man. Duns Scotus strongly emphasized fallen man's free will, and refused to identify original sin with concupiscence, insisting that concupiscence belongs to man's unwounded nature. Abelard went still farther. He revolted at the thought that Adam's sin was so serious as to be the adequate cause of the condemnation of all mankind. He considered appetite as both natural and innocent and the conflict between sense and reason as the characteristic of man as God created him. The word 'sin' is misused when it is said that we sinned in Adam.<sup>28</sup>

<sup>27</sup> Marcus Dods, *Encycl. Britannica* 11th ed., XXI, 63; *Hast. Enc. Rel. and Ethics*, Art. "Pelagianism," IX, 703 ff.

<sup>28</sup> Tennant, Art. "Original Sin," *H. E. R. E.*, IX, 561 ff.



The scholastic ideas of sin, especially in the form which it received from Aquinas was declared as official doctrine of the Roman Church at the Council of Trent (1545-1563). Luther and other Reformers of the 16th century inclined toward the elements of Augustinian teaching which the schoolmen rejected. Calvin took over almost unchanged Augustine's doctrine. Sharing the positive teachings of the Roman and Anglican Churches, the Reformers stressed the total depravity of human nature, employed the strongest language in describing the fallen state of man, and explicitly affirmed concupiscence as partaking of the nature of sin. Arminianism strongly reacted to Calvinist teaching insisting that the inherited bias to evil, which came with the Fall, was met and neutralized by the free and universal grace of God communicated to the race through the Christ, the second Adam. Consequently, original sin does not mean absolute reprobation.<sup>29</sup>

#### 4. RABBINIC IDEAS OF THE FALL AND ORIGINAL SIN

About the beginning of Christianity three main conceptions of sin struggled for recognition in Judaism. The first regarded the corruption of the race as hereditary. The second vaguely asserted a connection between Adam's sin and his posterity's liability to punishment, without defining the exact nature of the connection. The third view considered all sin as the fruit of man's own action. Paul utilized the first two for his soteriology. Rabbinic Judaism, while not wholly discarding the first two, generally upheld the third. The Rabbis were keenly aware of the difficulties in reconciling the goodness of God with the universality of moral evil, but they did not invest the subject with the importance which it held in Christianity. Paulinian Christianity, as we noted, placed the doctrine of original sin in the center of its thinking; Judaism left it on the periphery.

Rabbinic views on the subject have the character of random,

<sup>29</sup> Art. "Original Sin," *Catholic Encycl.*, XI, 312 ff.; art. "Confessions," *H. E. R. E.*, III, 838 ff.; *Book of Common Prayer of the Protestant Episcopal Church*, Articles of Religion, ix and x, pp. 565.

informal, and private opinions without dogmatic import whatever. The mystic Haggadah grapples with it most seriously, continuing the mythological notions of the Pseudepigrapha, and showing marked kinship to Parsi, Gnostic and Christian views. The Rabbis often voice a polemical note, aiming to controvert heterodox teaching within the Synagogue and of other faiths. Their comments generally bear the mark of fanciful interpretations of biblical texts, and reflect diverse and discordant viewpoints extending over many centuries. While they yield no precise doctrine of original sin, they exhibit certain general trends regarding what they deny and what they affirm.

The rabbinic ideas on original sin become evident from their treatment of the main characters in the drama of the fall, of death and the Yezer, imputation of guilt and merit, and the ways of escaping the effects of sin.

#### *A. Dramatis Personae*

While Eve plays an important role in the drama, the leading character is Adam. The statement of Genesis that he was formed in the image of God, is amplified in the Apocrypha and presents a favorite theme of rabbinic preaching. What did they understand by the "divine image?" Sirach 17.1 identifies it with rationality and supremacy over the beasts. The Wisdom of Solomon 2.23 associates it with immortality. The Targum Pseudo-Jonathan to Gen. 1.27, endeavoring to avoid anthropomorphism makes the expression refer to the image of the ministering angels. Akiba speaks of man as "created after an image," i. e., a special likeness prepared for him.<sup>30</sup> The Midrash Aggada interprets "in

<sup>30</sup> Abot 3.14 and Rashi to Gen. 1.27. L. Ginsberg writes: "Akiba, who steadfastly denies any resemblance between God and other beings — even the highest type of angels — teaches that man was created after an image — that is, an archetype — or, in philosophical phrase, after an ideal, and thus interprets Gen. 9.6, 'after an image God created man,' an interpretation quite impossible in Gen. 1.27. Compare the benediction in Ketubot 8a, בַּצֵּלְמוֹ בְּצֵלֶם, דְּמוּת חֲבִיתוֹ, wherein God is blessed because 'He made man in His image (בַּצֵּלְמוֹ), in the image of a form created by Him,' " Art. "Adam Kadmon," *Jew. Encycl.* I, 183.

our image," to mean that he shall have the spirit of life; and "in our likeness," that he shall have wisdom and understanding of divinelike character.<sup>31</sup> Ibn Ezra takes it to refer to the soul, which being immortal, is likest God.<sup>32</sup>

The glorification of Adam in the Haggadah exhibits Parsi and Gnostic elements. Like Gayomard,<sup>33</sup> the dust used for the creation of Adam was gathered from all parts of the earth. The earth for his body came from Babylon, for his head — from Palestine, and for his limbs — from the rest of the lands.<sup>34</sup> Another opinion is that he was fashioned from the navel of the earth (cf. Ezek. 38.12), i. e., the Temple, and endowed with God's spirit.<sup>35</sup> His stature extended from one end of the earth

<sup>31</sup> Ed. Buber, Bereshit, ch. 1.26, p. 4; see Nahmanides *ad loc.* See also Bereshit Rabbati, ed. Albeck, p. 19.

<sup>32</sup> Combining Gen. 2.7 with the Platonic theory of ideas (Allegorical Interpretation, I:12; On the Creation, 46), Philo distinguishes between the celestial Adam, made after the image of God, a perfect likeness of the Logos, an incorporeal object of intelligence, and the earthly Adam, compacted out of earthly substance or matter and an object of sense perception. Ginsberg suggests that Philo's idea is based on Pharisaic teaching. Gen. R. and Midr. Ps. 139.5 cite an opinion of R. Elazar b. Pedat interpreting *ahor vakedem zartani* as "before the first and after the last day of creation." This is taken to agree with another opinion of R. Elazar that the words, "Let the earth bring forth the soul of living being" (Gen. 1.24) mean the soul of Adam. This opinion is further identified with that of Simeon b. Lakish, who takes the verse, "and the spirit of God moved upon the face of the deep," as referring to the spirit of Adam. In Gen. R. 2.4 the same Amora is quoted as saying that the verse refers to the spirit of the Messiah. Prof. Ginsberg observes: "This contains the kernel of Philo's philosophical doctrine of the creation of the original man. He calls him the idea of the earthly Adam, while with the Rabbis the *Ruah* (spirit of Adam) not only existed before the creation of the earthly Adam, but was preexistent to the whole of creation. From the preexistent Adam, or Messiah, to the Logos is merely a step." Jew. Enc., I, 181. Cf. Paul's Christology in I Cor. 15.45-49.

<sup>33</sup> See Bundahis 3 in W. West's *Pahlavi Texts, Sacred Books of the East*, Vol. V.

<sup>34</sup> Sanh. 98b; Pirke R. Eliezer, 11.

<sup>35</sup> R. Berechiah and R. Helbo said in the name of R. Samuel the Elder that God created man out of the dust of the place where the Temple was to rise for the atonement of his sins. Gen. R. 14.8 and note by Theodor. K. Kohler remarks: "Sin shall never be a permanent or inherent part of man's nature." Art. "Adam," Jew. Enc., I, 177.

to the other (cf. Ps. 139.5). His height reached to the very skies. As he stood up in his divine likeness, the other creatures took him for their Creator, and began to prostrate themselves before him. But he corrected them and said: 'Come with me, and together let us clothe ourselves in majesty and strength, and crown Him as our God.' First Adam and then the other creatures proclaimed God's kingship (cf. Ps. 93).

"Adam was the light of the world."<sup>36</sup> He was distinguished by surpassing physical beauty and wisdom, brilliance which eclipsed the sun, and a heavenly light, which enabled him to see the whole earth. And he was immortal. As long as he was devoted to God, he enjoyed wisdom and power, counsel and insight.<sup>37</sup>

The word *mimmennu* in Gen. 3.22 was taken by R. Pappias as a first person plural. That is, the ministering angels declared: "Behold, Adam has become like one of us." Akiba silenced him, explaining the word as a third person singular, signifying: "Man is become like one who of himself may choose the way of life or the way of death."<sup>38</sup> R. Judah bar Simon interpreted it as a first person plural of majesty. That is, God says: "Man is become like unto Ourselves," endowed with Godlike powers. Another opinion took it to mean that Adam became like Gabriel. The verse was further understood to mean that Adam was destined to be immortal like Elijah.<sup>39</sup>

The mystic Pirke R. Eliezer comments on Gen. 2.18, "It is not good for Adam to be alone," etc. God showed special love for Adam by creating him out of a pure and holy place, out of the dust of the place where the Temple was to rise, i. e., that he might be free from sin, and brought him to his own preserve, the Garden of Eden. There he promenaded like one of the ministering angels. And God reflected: "I am unique in My world and man is unique in his. I do not procreate and he does not procreate. This may mislead the creatures to think that he created them. Hence, 'it is not good for Adam to be alone; I shall make for him

<sup>36</sup> Cf. Prov. 20.27; Jer. Sab. 2.6.

<sup>37</sup> Pes. 54a; Hag. 12a; Baba Batra 75a; Sanh. 38b; P. R. E., 11.

<sup>38</sup> Mekilta, Beshalah, 7.

<sup>39</sup> Gen. R. 21.5.

a mate to help him.'"<sup>40</sup> As long as he was alone, he was called Adam, but as soon as woman — *ishah* — was created, he was named *ish*. God placed His name into their names (the *Yod* into the first and the *He* into the second), indicating that if they followed His teaching, they would be saved from all distress, but if they did not, God would withdraw His name from them and they would be consumed.<sup>41</sup> Adam's nuptials were celebrated with great pomp in Heaven. God prepared ten canopies for him in the Garden of Eden, all of them made of precious stones and pearls and gold (cf. Ezek. 28.13). The angels beat the drums and danced like maidens. The ministering angels served as the groom's companions, and God Himself officiated as *Hazzan*, blessing the couple (Gen. 1.28).<sup>42</sup>

The haggadic portrayal of the serpent is illuminated by the report of Bundahis I.8 about Angra-Mainyu that "whatever he schemes he infuses with malice and greed till the end." As soon as he arose from the abyss, and came into the light, the evil spirit "desirous of destroying, and because of his malicious nature," rushed in to annihilate the light of Auharmazd (Ahura Mazda). Seeing that its bravery and glory were greater than his own, he rushed back to the gloomy darkness, and formed many demons and fiends, and together they rose to do violence (I.9-10). "His business is unmercifulness and destruction of this welfare (i. e., of the creatures of Auharmazd), so that the creatures which Auharmazd shall increase he will destroy; and his eyesight (referring to the "evil eye") does not refrain from doing the creature harm." "His body is that of a lizard whose place is filth" (28.1-2). Again we are told that "the evil spirit was a loglike lizard's body, and he appeared a young man of fifteen years to Geh" (3.9).

Of the wicked Geh, the Bundahis 3.3-9 tells that she comes "to cause that conflict in the world wherefrom the distress and

<sup>40</sup> Cf. Gen. R. 8.10.

<sup>41</sup> By removing the *Yod* from one and the *He* from the other, the letters Aleph and Shin remain in both, spelling Esh — fire.

<sup>42</sup> We may have here a reaction to the Pauline idea of marriage as a mere concession to the flesh and to the Manichaeian notion of the evil character of married life.

injury of Auharmazd and the archangels will arise." She announced: "in that conflict I will shed thus much vexation on the righteous man (Gayomard, the representative of mankind) and the laboring ox that through my deeds, life will not be wanted, and I will destroy their living souls. I will vex the water, I will vex the plants, I will vex the fire of Auharmazd, I will make the whole of creation of Auharmazd vexed." The evil spirit "kissed Geh upon the head, and the pollution which they call menstruation became apparent in Geh."<sup>43</sup>

Some of these traits of the evil one reappear in the rabbinic portrayals of the serpent. R. Hoshaiiah described him as double-horned, upright like a pole, and walking on two feet.<sup>44</sup> He is pictured also as camel. As in the Wisdom of Solomon 2.24 and in the Secrets of Enoch 31.3 so in the Haggada he is identified with the devil, Satan or Sammael.<sup>45</sup> His characteristic attitude is that of jealousy and envy. He envied Adam's position in Eden. He envied Adam's lordship over creation, and above all Adam's possession of Eve. He therefore conspired to kill Adam and to marry Eve and to set himself up as king over the whole earth.<sup>46</sup> According to Gen. R. 18.6 the serpent was filled with lust for Eve when he beheld her conjugal relations with Adam.

P. R. E. 13 treats the serpent as the instrument of Sammael,<sup>47</sup> who was a great prince in heaven. Whereas the *Hayot* had four wings and the *Seraphim* six, Sammael had twelve. He seems to have acted on behalf of the other ministering angels, who resented Adam's superiority over them, and resorted to stratagem to lead Adam to sin and thereby discredit him before God. Sammael descended on earth with his band of evil spirits. Surveying all of God's creatures, he found no one more skilled to do evil than the serpent (cf. Gen. 3.1). He at once mounted

<sup>43</sup> See note 33. While the Bundahis dates from the 8th or 9th cent., it contains ancient Parsi teaching.

<sup>44</sup> Gen. R. 19.1 and notes by Theodor.

<sup>45</sup> Targum Jonathan to Gen. 3.6; Lev. R. 21.4; Deut. R. 11.9; P. R. E., 13; Zohar, I, 35b; cf. II Cor. 11.3; Rev. 12.9; 20.2.

<sup>46</sup> Sanh. 59b; Sota 9b; Abot R. Nathan, I, 1.

<sup>47</sup> In his commentary to Gen. 3.1 Ibn Ezra cites Saadia's opinion to the same effect.



the serpent and prompted it to do his will.<sup>48</sup> Craftily the vile serpent proceeded to ensnare Eve, since woman is more readily enticed than man, suggesting to her that God prohibited the eating of the fruit of the tree because of His jealousy, for by partaking of the fruit one becomes like God. The trick worked. As Eve touched the fruit, she beheld the Angel of Death coming toward her. Fearing that she will die and that God will create another woman for Adam, she made him partake of the fruit so that if they shall die they shall both die, and if they shall live they shall both live.

### *B. Nature of the Sin*

The opinion is expressed that the serpent enticed Eve and cohabited with her.<sup>49</sup> The words "the fruit of the midst of the garden" (Gen. 3.3) are taken as a euphemism for Eve (cf. Song of Songs 4.12). Out of that union Cain was born. Subsequently Adam begot Abel.<sup>50</sup> Hence Adam did not find consolation after Abel's death until Seth was born in his likeness. R. Ishmael is quoted as saying that the righteous generations descended from Seth and all the wicked ones from Cain. R. Meir held that the offspring of Cain behaved like animals, walking around stark naked, and indulging in all kinds of sexual excesses, including incest. It is of them that the fallen angels took wives. From their unions, according to R. Zadok, came the giants, who engaged in robbery, violence and blood-shed. Thus their evil ways are hereditary.<sup>51</sup>

<sup>48</sup> Books of Adam and Eve, 9 ff.

<sup>49</sup> Cf. Gen. 3.13, taking the word *hisiani* in the sense of *nisuin*, marriage Rashi to Sota 9b; and notes by Theodor to Gen. R. 18.25 and 19.13.

<sup>50</sup> Cf. II Cor. 11.3-5; Thackeray, *Relation of St. Paul to Contemporary Jewish Thought*, p. 55; A. Plummer, *Intern. Crit. Comment. to II Corinth.*, p. 295. See also Tim. 2.13-15 and cf. IV Macc. 18.7-8 and notes *ad loc.* in Charles, A. P. E., II.

<sup>51</sup> Cf. Targ. Jer. to Gen. 4.1; P. R. E., 21; Kasher, *Torah Shelemah*, I, p. 304, note 7. This curious notion regarding the parentage of Cain appears to have been current among the Gnostics. See Epiphanius, *Haeresis* 40.5; Tennant, *The Fall and Original Sin*, p. 159; R. Meir's idea may be related to the thought of the Bundahis 23.1 deriving the "tailed ape and bear and other species of degeneracy" out of the union of Yim with a demoness (cf. Lilit) and

A crude theory of original sin states that by his union with Eve, the serpent — Samael polluted her posterity. R. Johanan teaches that "when the serpent had intercourse with Eve, he injected pollution into her. Israel, by receiving the Torah at Sinai, freed itself of the pollution; the gentiles who did not stand at Sinai have not rid themselves of it." R. Ashi holds that proselytes are included with Israel, for though they were not at Sinai, their *mazzal* (guardian angel) was.<sup>52</sup> R. Abba bar Kahana thinks that not even the Patriarchs were wholly free from that infection, for Abraham begot Ishmael, and Isaac begot Esau. Only Jacob begot twelve sons wholly free from blemish.<sup>53</sup>

The context in which R. Johanan's statement occurs in Aboda Zarah 22b suggests that the contamination was of the nature of lustful passion. The original sin thus consisted in awakening sexual desire in Eve.<sup>54</sup> Concupiscence as the cause of the fall is suggested by the saying of R. Aha that Eve's name signifies "serpent" (*Hivya*, a play on the name *Havvah*) because she was the serpent, i. e., the seducer of Adam as the serpent was her seducer.<sup>55</sup> In words that have an Augustinian sound, he comments on Ps. 51.7 ("Behold, I was shapen in iniquity, and in sin did my mother conceive me"), "Though one be the saintliest of saints, he cannot escape a trace of sin. Thus David said before the Holy One blessed be He: 'Did my father Jesse aim only to beget me? Did he not rather aim to satisfy his own desire?'" R. Huna and R. Jacob report an opinion of R. Abba that Adam taught cohabitation to all creatures (cf. Gen. 4.1). R. Huna bar Ido teaches that as soon as Eve was created, Satan was created with her,<sup>56</sup> i. e., the evil concupiscence.

of his sister Yimakh with a demon. See also Zohar, I, 36b; 145b. J. Rosenberg, in his comments on his edition of the Zohar, p. 40, "corrects" the Darwinian theory of the origin of species in the light of this idea.

<sup>52</sup> Cf. Bundahis 1.8 and note 2 by West.

<sup>53</sup> Yebamot 103b; Ab. Zara 22b; Sab. 145b-146a; cf. Jubil. 22.16 ff.; Zohar I, 36b, 52a; A. Kohut, *Aruch Hashalem*, sub *Zeham*, II, 273-4; *Die juedische Angeologie*, p. 66.

<sup>54</sup> L. Ginsberg, *Legends*, V, p. 133.

<sup>55</sup> Gen. R. 20.20. For a contrasting view see legend of union of Adam and Eve before the Fall. Gen. R. 18.25.

<sup>56</sup> Lev. R. 14.5; Gen. R. 17.5; 22.2; P. R. E., 22.

As the incarnation of evil, Sammael is identified also with the evil impulse in man. R. Simeon b. Lakish teaches that Satan, the Yezer Hara and the Angel of Death are one and the same. He has a threefold function: he descends and misleads, he ascends and accuses, and he secures God's permission to take the soul.<sup>57</sup> Rashi comments on Gen. 2.25 that in their state of innocence Adam and Eve had no sense of distinction between good and evil, but in consequence of their transgression, the Yezer Hara entered into them and they grew conscious of good and evil. In his commentary on Isa. 5.2 Rashi voices the same thought. He treats the chapter as an allegory of Adam. The words "And he removed the stones thereof" refer to the Yezer Hara, i. e., before Adam sinned, but as soon as he sinned the Yezer Hara entered into him. "And there will arise in it briars and thistles" (v. 6) signifies that "the Yezer Hara will rule over him and the generations following him to do evil deeds." Rashi's Haggadic explanation implies that the Yezer Hara was in Adam from the first, but that it was removed from him during his state of innocence and was restored to him after the fall.<sup>58</sup> Rashi's opinion accords with the view of A. R. N., II, 42 that the Yezer Hara represents a punishment meted out to Adam for his sin. The Cabbala follows the line of thought, maintaining that in consequence of Adam's transgression, all men are born under the influence of the Yezer Hara.<sup>59</sup>

The Rabbis generally hold that God endowed man from the very beginning with two Yezers, one good and one evil. This they derive homiletically from the two *yods* in the word *vayyizer* in Gen. 2.7.<sup>60</sup> Furthermore, even the Yezer Hara is not absolutely evil. While, by rousing the passions, the Yezer "leads a man out

<sup>57</sup> B. B. 16a; art. "Angel of Death," *Universal Jew. Encycl.*, I, 302-3.

<sup>58</sup> Nahmanides rejects the opinion that the fruit of the tree aroused sexual desire. He thinks that originally Adam and Eve were free from concupiscence, and cohabited only for procreation. Hence their sex organs were like other parts of the body of which they were not ashamed. By eating of the fruit man acquired the choice and the desire to do good or evil for himself and others, which is a godlike power, but also an evil in that man now possessed a Yezer. Commentary on Gen. 2.10.

<sup>59</sup> Zohar, I, 61a.

<sup>60</sup> Targ. Jonathan *ad loc.*; Berachot 61a; Gen. R. 14.4.

of the world," he serves also a useful purpose. He is "the leaven of the dough." Without him there would be no family life and no enterprise whatever. "He is as necessary to the world as rain."<sup>61</sup> The Yezer is in reality neutral. Man can use his passion nature for good as well as for evil.

"The tempter appealed to the desire and ambition inherent in human nature (Gen. 3.5 ff.), and in yielding to this impulse man transgressed the commandment of God. This is the uniform doctrine of Judaism, as it is indeed the meaning of the story in Genesis."<sup>62</sup> In addition to concupiscence, drunkenness figures as the original sin. Thus I Enoch 32.4 considers the forbidden tree to have been a vine. We encounter the same idea in III Baruch 4.8, 16-17. Baruch is informed that the tree which led Adam astray is the vine, which the angel Sammael planted. In His anger, God cursed him and his plant, and forbade Adam to touch it. The devil, in his envy of Adam, managed to deceive him. As Adam was condemned through the vine and was divested of the glory of God, so his descendants "who now drink insatiably the wine which is begotten of it, transgress worse than Adam, and are now surrendering themselves to the eternal fire. For no good comes through it. For those who drink it to surfeit do these things: neither does a brother pity his brother, nor a father his son, nor children their parents, but from the drinking of wine come all the evils, such as murders, adulteries, fornications, perjuries, thefts, and such like."<sup>63</sup>

The idea recurs in Rabbinic Haggadah. This is the opinion of Rabbi Meir, of R. Judah b. Ilai and of R. Ibo.<sup>64</sup> As Noah was about to plant the vine, Shamdon (Asmodeus) came to help him, saying: "I desire to join you in your work, but be on your guard lest you come into my power and I injure you."<sup>65</sup>

<sup>61</sup> Abot 2.16; 4.28; Sefer Yezira 6; Midr. Temura 1; Ber. 17a; Yoma 69b; Zohar I, 138a. On the whole subject see Frank C. Porter, "The Yezer Hara, A Study in Jewish Doctrine of Sin," in *Biblical and Semitic Studies*, Yale University, 1902, pp. 93-156.

<sup>62</sup> Moore, *Judaism*, I, 479.

<sup>63</sup> Compare the Christian interpolation ch. 4.9-15.

<sup>64</sup> Ber. 40a; Sanh. 70a; Gen. R. 15.6; 19.5.

<sup>65</sup> Gen. R. 36.3 and notes by Theodor; Tanhuma, Noah, 3; Num. R., Naso, 12.2, 8.

As through the serpent, who enticed Eve to drink wine, a curse came upon the earth (cf. Gen. 3.17), so through wine a third of the world, i. e., Canaan, the third son of Ham, was cursed (ibid. 9.24-25). As the viper divides between life and death, so wine separated man from the ways of life and sets him apart for the ways of death, for wine leads man to idolatry (cf. Prov. 23.33; Ps. 81.10). It was through wine that the Yezer Hara led Israel to worship the Golden Calf.<sup>66</sup>

### *C. The Effect of the Fall*

The immediate effect of the fall was the expulsion of Adam and Eve from Eden. According to P. R. E. 14, as soon as Adam sinned, God came down to judge him. Adam had been clothed in a horny skin,<sup>67</sup> and covered with a cloud of glory. In consequence of the fall he was stripped of both. He cast the blame upon Eve.<sup>68</sup> She in turn blamed the serpent. Thereupon God meted out punishment to every one of the three, punishment consisting of nine curses and of death. He cast down Sammael and his troop from their holy place in heaven, cut off the feet of the serpent, and decreed that it should cast its skin in great pain, etc. The woman was afflicted with pains arising from menstruation, the rupture of the virginal membrane, of childbirth and of bringing up children. Her head was covered like a mourner,<sup>69</sup> and it is not to be shaved except in punishment of adultery (cf. Num. 5.18). Her ear is pierced like that of a perpetual slave. Like a handmaid she waits upon her husband, and she is not believed in testimony. These curses are followed by death. Woman's entire status, physical, spiritual and social, was determined by the fall. Adam's curses included the following: His strength was diminished and his stature shortened; he was

<sup>66</sup> Num. R. 10.8; Midr. R. Song 2.4.

<sup>67</sup> According to Targ. Jer. Gen. 3.7 in an "onyx-colored" garment, and according to R. Isaac Ravia in a dress as smooth as the finger nail and as beautiful as a pearl. Gen. R. 20.12.

<sup>68</sup> The Midrash Aggadah, Bereshit, p. 8 refers the complaint against God Himself.

<sup>69</sup> Cf. I Cor. 11.5; Apostolic Constitutions I.8.

to sow wheat and reap thistles; his food was to be the grass of the earth like that of beasts; and he was to earn his bread in anxiety and by the sweat of his brow. After all these comes death. Other opinions add that he was endowed with the *Yezer Hara*.<sup>70</sup>

The general view is that as soon as Adam sinned all things became perverted, and will not be restored until the advent of the Messiah.<sup>71</sup> The earth and the heavenly bodies lost their brightness. The course of the planets changed. Death came upon all creatures, because Eve gave the animals of the forbidden fruit. Only the phoenix refused to break the Divine command. Hence he lives forever.<sup>72</sup> Adam's sin was followed by the loss of six excellences: his radiance, his eternal life, his stature, the fruitfulness of the earth and of the tree of Eden, and the lustre of the luminaries.<sup>73</sup> The Midrash applies Prov. 24.30 to Adam. "I went by the field of the slothful" refers to Adam who was too indolent to repent of his sin; "and by the vineyard of one devoid of understanding" refers to Eve who was enticed by the serpent; "and lo, it was all grown over with thistles" for the whole world was filled with woe; "the face thereof was covered with nettles" as it is said: "and thorns and thistles shall it bring forth to thee" (Gen. 3.18); "and the stone wall thereof was broken down," for Adam demolished the fence of the world.<sup>74</sup>

<sup>70</sup> Cf. *Bundahis* 3.15 ff. For a different view see *Bereshit Rabbati* pp. 50-52 and notes by Albeck; Ginsberg, *Legends*, V, pp. 101-102, notes 83-90. *Secrets of Enoch* 31.7-8 limits the penalties to the serpent-Satan. Adam's ignorance and sin were likewise punished, but not Adam himself nor the earth or the other creatures. Under Platonic influence, ignorance is here conceived as an evil in itself and forms the origin of moral evil. See note by Forbes and Charles in *A. P. E.*, II, 450, n. 16. *A. R. N.* II, 42, knows of 40 curses, ten each for Adam, Eve, the serpent and the earth. The number differs in *A. R. N.*, I:1. *Num. R.* 5.4 similarly speaks of 40 curses. The *Zohar Hadash* to Ruth, p. 158 refers to 39, corresponding to the number of stripes applied by a court to a human offender. See J. D. Eisenstein, *Ozar Midrashim*, "Perek Adam Harishon," I, 9-10.

<sup>71</sup> *Gen. R.* 12.5.

<sup>72</sup> *Ibid.*, 19.5.

<sup>73</sup> *Ibid.*, 12.6; Tanhuma, Buber, *Bereshit*, 18.

<sup>74</sup> Tanhuma, B., *Bereshit*, 22; *Gen. R.* 21.2.



The chief penalty of Adam's transgression, according to both Apocryphal and Rabbinic literature is mortality. We meet with this view among the Palestinian as well as the Babylonian teachers.<sup>75</sup> This view was held by R. Meir. R. Jose teaches that because Adam violated one commandment given to him by God, death came upon him and all generations. R. Judah applies Deut. 32.32 to the sons of Adam, who brought the penalty of death upon all his descendants. R. Nehemiah limits the penalties to the gentiles, who are "the disciples of the primeval serpent who misled Adam and Eve."<sup>76</sup> This is related to the idea of R. Johanan, cited above, that the gentiles, by not accepting the Torah, have not yet freed themselves from the pollution of the serpent. R. Judah recognizes the universality of death. "No one hath power over the Angel of Death to keep him away from oneself."<sup>77</sup> In other words, "If Adam had not sinned, men would not have been mortal."<sup>78</sup> He supports his opinion that if Adam had not sinned he would not have died, with the case of Elijah, who escaped death by his sinlessness.<sup>79</sup> Another view is that while mortality came with Adam, every person deserves it for himself. This is substantially the position of Paul.<sup>80</sup> Thus R. Ammi, basing himself on Ezek. 18.3 and Ps. 89.33, teaches: "There is no death without sin and no suffering without iniquity." His view was controverted by the Tannaitic tradition that when the angels asked God why He imposed death upon Adam, he replied: "I commanded him but one light commandment, and he transgressed it." They retorted: "Did not Moses and Aaron keep the entire Torah? Yet, they too, died." God answered in the words of Eccl. 9.2, "all things occur alike to all; yea, one happening unto the righteous and the wicked." R. Ammi, it is explained, followed R. Simeon b. Elazar, who held that Moses and Aaron, too, died on account of their sin (cf. Num. 20.12).

<sup>75</sup> Geiger's claim that these ideas were acquired from the Christians in Babylonia lacks foundation. See *Juedische Zeitschrift*, X, 166-171.

<sup>76</sup> Erub. 18b; Sifra Vayikra 20.10; Sifre, Deut. 323.

<sup>77</sup> Deut. R. 9.3; Eccl. R. to Eccl. 8.8.

<sup>78</sup> Midr. Aggadah, p. 5.

<sup>79</sup> Eccl. R. 3.15.

<sup>80</sup> Rom. 5.12. See Moore, *Judaism*, I, 476.

According to another Tannaitic tradition, four men, Benjamin, Amram, Jesse and Chiliab, died not because of personal guilt but on account of the serpent, i. e., the guilt of Adam. Another tradition states that the Angel of Death had no power over the following six persons: Abraham, Isaac, Jacob, Moses, Aaron and Miriam.<sup>81</sup> In keeping with R. Ammi's view is the statement of R. Eliezer b. Hyrcanus that if God were to enter into judgment with the patriarchs, they would not be able to withstand the rebuke.<sup>82</sup>

A Midrash on Job 37.7 ("By the hand of every man will He seal") states that when God showed Adam all the generations that were to descend from him (cf. Gen. 5.1), Adam grieved over the fact that he had brought death upon the righteous, and implored God not to record that fact. God assented and promised him that in the hour of man's departure from this world, He will reveal Himself to him and order him: 'Record thy deeds, for thou diest on account of thine own deeds.' And in the future, when He will come to judge His creatures, He will produce all the books of the children of man and show them their deeds. Hence is it said: "By the hand of every man will He seal." When the righteous reprove Adam for causing them to die, he responds: "I committed only one transgression, but every one of you committed many sins." In order to sustain Adam's claim, they are punished with death even for light offenses.<sup>83</sup> Adam himself absolves God of the charge of having punished mankind with death, and takes the responsibility upon himself.<sup>84</sup>

R. Judah bar Simon voices the thought that Adam was worthy of being immortal. Why, then, was he punished with death? "God hath so made it that men should fear before Him"

<sup>81</sup> See Targum to Ruth 4.22; Eccl. 7.29; Sab. 55ab; B. B. 17a; cf. Prayer of Manasseh, 8; on the immortals who entered Paradise during their life see Ginsberg, *Legends*, V, pp. 67-68, n. 67.

<sup>82</sup> Arachin 17a.

<sup>83</sup> Yalkut Job 922; Tanh., B., Bereshit, 29; *ibid.*, Hukkat, 39; cf. II Baruch 48.42-46; 54.15, 19. In the Book of Adam and Eve 10.2 it is Eve who is distressed by the fact that all sinners will curse her for not keeping God's commandment.

<sup>84</sup> Midr. Ps. 92.14.

(Eccl. R. to Eccl. 3.14). We have here the same motive which occurs in Gen. 3.22, viz., to draw a line between men and God. Gen. R. 9.5 makes the motive more explicit. R. Hama b. Hanina observes that Adam was punished with death on account of Nebuchadnezzar and Hiram who would set themselves up as gods. Because of them the entire human race was rendered mortal. Instead of posterity suffering for the sin of Adam, it is Adam who suffered for the offence of some of his posterity.

That death is the natural lot of man was recognized in rabbinic thought (cf. I Sam. 26.10; Eccl. 3.2). R. Joshua b. Korha argued that a subterfuge was employed in charging Adam with being the cause of human mortality (cf. Ps. 66.5), inasmuch as the Angel of Death was made on the very first day of creation and Adam was not created until the sixth.<sup>85</sup> Death is a part of the order of nature. It was with Death as a reality that God looked upon all that He had made and said: "It is very good (Gen. 1.31)."<sup>86</sup> R. Meir noted in the margin of his scroll the word *mavet* — death — by the side of *tob* — good. R. Samuel b. R. Isaac applied the words *Tob m'od* to the Angel of Death.<sup>87</sup> The Midrash Lekah Tob (*ad loc.*) comments that "God looked upon the world and saw that death is good for the creatures, therefore it is said: 'and behold, it is very good.'"

How long will death reign? Gen. R. 24.4 connects Isa. 57.16 with Gen. 5.1. "For I shall not contend forever" with Adam; "nor shall I always be wroth" with his descendants; "for the spirit fainteth before Me," i. e., He weakens the destructive spirit. R. Wolf Heidenheim interprets the statement that God will reveal (or release) the spirits which are 'wrapped before Him.' In keeping with the latter view is the saying of R. Tanhum bar Hiyya that the Messiah will not come before all the souls that appeared in God's plan of creation come to life. These are the souls referred to in the book of Adam (cf. Ps. 139.16). In Yebamot 63a the statement reads: the Messiah will not come

<sup>85</sup> Tanhuma, Vayeshev, 4.

<sup>86</sup> Tanhuma, Shemot, 17; cf. Gen. R. 30.8; Ex. R. 2.4.

<sup>87</sup> Gen. R. 9.5, 9; Midr. Haggadol to Gen. 1.31; Midr. Aggadah, Bereshit, p. 5.

until all the souls of the *Guf* (a supernatural chamber; according to Heidenheim's comment to Gen. R. 8.1, 'the body of Adam contained all souls') will have gone through an earthly existence.<sup>88</sup> That will mark the end of death.

The subject is pursued further in connection with the interpretation of Gen. 2.17. The Midrash links it with Dan. 8.13 and applies the verse to Adam: How long will he and his descendants be trampled upon by the Angel of Death? The answer is found in the next verse: *ad erev boker* — until the morning of the gentiles will turn into evening and the evening of Israel into morning. In Messianic times "the sanctuary will be victorious." Adam will be absolved of the penalty to which he was subjected. The excellences that were taken from him when he sinned will be restored with the coming of the Messiah. The defects of nature will be remedied and the wound of the world will be healed. Then, too, the Yezer Hara will be destroyed. With his elimination all suffering will disappear.<sup>89</sup>

#### *D. Imputation of Guilt and of Merit*

As in the Christian doctrine of Original Sin, so in the Rabbinic thought on the subject the idea of imputation plays an important part. The idea of transmission of both guilt and merit within families or of rewards and punishments to be visited upon one's descendants was shared by all the nations of antiquity, and forms the basis of the biblical doctrine of retribution. The second commandment declares that God visits the sins of the fathers upon their children unto the third and fourth generation of them that hate Him, and He shows mercy unto the thousandth

<sup>88</sup> Cf. II Baruch 23.4-5.

<sup>89</sup> Gen. R. 21.1; 12.6 and note by Theodor; Num. R. 13.12; Tanhuma, B., Bereshit 18, 40; cf. Yalkut, Gen. 42 on Gen. 5.29; A. R.N., I.2; Sukka 52a. Parallels appear in the Bundahis: "The creatures of Aharman (Angra-Mainyu) will perish at the time when the future existence occurs, and that also is eternity" (1.7). Ahura Mazda will overcome the adversary, and the guardian spirits of man will again become perfect, immortal, undecaying and undisturbed for ever and ever (2.10-11). Gayomard spoke thus: "Although the destroyer has come, mankind will be all of my race; and this one thing is good, when they perform duty and good works" (3.23).

generation of them that love Him and keep His commandments (Ex. 20.5-6; Deut. 5.9-10). In view of the descent of the human race from Adam, it was quite natural for the ancient thinkers to conceive of mankind as involved in the sins of its first parent. We encountered this belief in the Rabbinic teachings regarding the origin of death as an inheritance from Adam. The penalty imposed upon him must be borne by all his descendants. Midrash Lekah Tob explains the seemingly pleonastic expression *Mot temutun* in Gen. 2.17 as signifying death for Adam and death for his descendants.

The words "these are the generations of Adam" (Gen. 5.1) were interpreted by R. Judah bar Simon, in the light of Ps. 139.16, to mean that when God created Adam, He showed him all the generations, their interpreters and their sages, their scribes and their leaders.<sup>90</sup> In other words, humanity was foreshadowed in idea in the mind of Adam. More explicitly the later Midrash Ex. R. 40.3, citing Eccl. 6.10 ("and it is foreknown what man is"), states: "While Adam still lay as an unformed mass, God showed him every righteous man that was to descend from him; one hung from his head, another from his hair, another from his eyes, another from his mouth, still another from his ear," etc. Mysticism enlarged upon this idea. R. Bahya b. Asher, for example, writes: Inasmuch as death was decreed upon Adam, who was the root of the world and of all the generations, no one may escape it. Had it not been for that sin, men would have been immortal. On the basis of Ps. 82.6-7, he maintains that the original plan of creation was to have men like angels in bodily forms, on the order of Enoch and Elijah, but because of Adam's sin that plan was upset. Nature shows that when the root of a tree decays, its branches, too, are affected. Death, which separates the soul from the body, corresponds to the sin which parted the fruit from the tree. As such it is the portion of the righteous and the wicked alike (Cf. Eccl. 9.2; 3.19). However, this pertains only to their bodies. In the realm of souls, they are rewarded in accordance with their actions.<sup>91</sup> In the view of the

<sup>90</sup> Gen. R. 24.1. Cf. Midr. Ps. 139.6; Ab. Zara 5a.

<sup>91</sup> Kad Hakemah, Evel., ed. Warsaw, pp. 5ab.

Zohar, Adam's fall turned all things into disorder, and the heavenly channels through which divine influence streamed upon the world were broken. It destroyed the original harmony of creation and sent the Shekina into exile.<sup>92</sup> In Luria's teachings this idea takes on most phantastic forms. All souls were created together with the organs of Adam. Originally they were in pure and holy state, but following the fall they were mixed with evil. The confusion has continued ever since, so that there are no holy souls without some "sparks" of "uncleanness" and no unclean souls without some "sparks of holiness." This condition prevents the advent of the Messiah, for he cannot come until the sin of Adam is repaired and the good is separated from evil.<sup>93</sup>

The imputation of Adam's guilt to his posterity was acknowledged even by rationalists. Thus David Kimhi comments on Isaiah 43.27, ("thy first father sinned"): "how can you claim to be innocent in view of the fact that your first father, Adam, sinned. Man is stamped with sin, 'for the inclination of his heart is evil from his youth' (Gen. 6.5)."<sup>94</sup>

Next to Adam's fall, the worship of the Golden Calf figures in Rabbinic literature as the most heinous sin which brought the direst consequences upon Israel. Death as the penalty of Adam's sin was cancelled at Sinai when Israel accepted the Torah, but by setting up the Golden Calf the Israelites came back under the sway of the Angel of Death. Another opinion is expressed that at Sinai God gave the Angel of Death dominion over all the idolatrous peoples, and reserved Israel for Himself that they might share in His immortality. But as soon as they acclaimed the Calf as their God, they reverted to their former mortality.<sup>95</sup>

The initiative for the Golden Calf came not from Israel but

<sup>92</sup> G. Scholem, *Major Trends of Jewish Mysticism*, pp. 220, 232, 272 and *passim*.

<sup>93</sup> S. A. Horodezki, *Torat Haari*, Keneset, III, pp. 405-6; Vital, *Shaare Kedusha*, i.

<sup>94</sup> On the other hand, Kimhi rejects Rashi's explanation of Hos. 6.7 as referring to Adam, and takes the word *adam* in the sense of person. The Targum renders the verse: "like the former generations they transgressed My covenant." Cf. S. Krauss, *Perush Mada'i, Isaiah*, p. 84 and A. B. Ehrlich, *Mikro Kipeshuto*, III, p. 99.

<sup>95</sup> Ab. Z. 5a; Ex. R. 32.1, 7; Lev. R. 11.1, 3; 18.2-4.



from the mixed multitude. That sin, which was trailed by the two other cardinal sins of incest and bloodshed was hereditary, affecting twenty-four generations, till the final destruction of the Jewish state in the time of Zedekiah. R. Oshiah says: Down to the days of Jeroboam Israel suffered for the sin of one calf, and thereafter for three. R. Isaac expresses the thought that every chastisement which befalls the world is, in some part, a retribution for the sin of the Golden Calf. R. Jehudah said in the name of R. Jose: There is not a single generation that does not partake of the sin of the Calf.<sup>96</sup> According to R. Jehudah, Sammael entered the Golden Calf and began to bleat to mislead Israel (cf. Is. 1.3). However, not all the people were deceived by him. In the opinion of Rabbi, the princes of the people were deemed worthy of beholding the Shekinah because they did not worship the Calf (Ex. 24.11). R. Jehudah similarly excludes the tribe of Levi from that offence (Ex. 32.26). When God first descended to give the Torah to Israel, sixty myriads of angels accompanied Him to crown every Israelite. Prior to that event the Israelites were better in the eyes of God than the angels, and the Angel of Death, as we noted before, had no power over them. But after that affair, God was wroth with them. On the night following the sin, the sixty myriad angels returned and stripped every Israelite of his adornments.<sup>97</sup>

Like these, so other sins are trailed by suffering. Rav Zutra calls out: "Woe unto the wicked! Not only do they incur guilt, but they involve their children and their children's children to the end of all the generations."<sup>97</sup> In view of the solidarity of the Jewish people, each generation completely identifies itself with the preceding ones and assumes responsibility for their misdeeds. "Because of our sins have we been exiled from our land —" is the mournful confession of a penitent people.

Conversely, Rav Zutra exclaims: "Happy are the righteous. Not only do they acquire merit, but they bestow merit upon their children and their children's children to the end of all the generations"<sup>98</sup> (ibid.).

<sup>96</sup> Tanh., Ki Tisa, 20-21; Sanh. 102a; Mid. R. to Lam. 1.3, ed. Buber, 62.

<sup>97</sup> P. R. E., 47.

<sup>98</sup> Yoma 87a.

Not only guilt but righteousness as well may be transmitted and credited to subsequent generations (cf. Gen. 26.2-5; Ps. 103.18, etc.). In Judaism it is obviously not the righteousness of the Christ but the *Zachut* or merit of the Fathers that is accounted to the Jewish people and affects their justification. This doctrine of merit is not — as S. Levy suggested — “a complete contrast of the Christian theory of Original Sin” and for which he proposed the name “Original Virtue,”<sup>99</sup> but a phase of the idea of imputation, which underlies the doctrine of Original Sin. The doctrine is clearly stated in *Aggadat Bereshit* 10.2, in connection with Prov. 20.7 (“He that walketh in his integrity as a just man, happy are his children after him”): “Happy are the children whose fathers possess merit, for that merit profits them. Happy are the people of Israel, for the merit of Abraham, Isaac and Jacob avails them. Because of their merit, God saved their descendants in Egypt (Ex. 2.24), when they departed thence (Ps. 105.42-43), in the episode of the Golden Calf (Ex. 32.13), in the days of Elijah (I Kings 18.36), and in the reign of Hazael the King of Aram (II Kings 13.22-23). God said to Israel: “Until now you had the merit of the Patriarchs; from now on, each person will depend upon his own acts.” Another Midrash states: From that time on, the merits of one’s own honest labor exceeds the merit of the Fathers.<sup>100</sup> The date of the cessation of the merit of the Patriarchs was variously given. Rab placed it in the days of Hosea (Hos. 2.12), Samuel in the days of Hazael (II Kings 13.22-23), R. Joshua b. Levi in the time of Elijah (I Kings 18.36), and R. Johanan in the reign of Hezekiah (Is. 9.6).<sup>101</sup> R. Aha is of the opinion that the merit of the Patriarchs endures forever. R. Judah bar Hanan says in the name of R. Berechiah with reference to Is. 54.10: “When you see the merit of the Patriarchs declining and the merit of Matriarchs shaken, go and cleave to God’s grace, for [“though the mountains (=Patriarchs) shall depart and the hills (=Matriarchs) be removed], My kindness shall not depart from thee.”<sup>102</sup>

<sup>99</sup> See *Original Virtue and Other Short Studies*, p. 1.

<sup>100</sup> Tanhuma, Vayeze, 13.

<sup>101</sup> Sabb. 55a.

<sup>102</sup> Jer. Sanh. 10.1; Lev. R. 36.4-6.

Rabbenu Tam remarks that while the merit of the Fathers has drawn to an end, the Covenant of the Fathers abides. Thus Lev. 26.42 states: 'I will remember My covenant with Abraham, with Isaac and with Jacob,' etc., i. e., even after the exile. And (in the liturgy) we recall not the merit of the Fathers but the Covenant."<sup>103</sup> It is interesting that the original text of the Amidah, as represented by the Palestinian version, omits the words "who rememberest the goodness of the Fathers" in the first benediction. On the other hand, there is strong appeal to the covenant theme in the Zichronot in the Musaf for Rosh Hashanah. "It is in the later liturgy where the Zachut of the Fathers plays such an important part."<sup>104</sup>

The generations that suffer persecution cry out in despair: "Lord of the world! The former generations were protected by the merit of the Fathers, and 'we are become like orphans and fatherless' (Lam. 5.3), but Thou hast said, 'In Thee the fatherless find mercy,' 'Thou aimest the orphan' (Hos. 14.4; Ps. 10.14)."<sup>105</sup>

Particularly important is the merit accruing to the people in consequence of the Akeda, Sacrifice of Isaac. The Tahanun contains the prayer: "We beseech Thee, O gracious and merciful King, remember and give heed to the Covenant between the Pieces (with Abraham), and let the binding (upon the altar) of his only son appear before Thee to the welfare of Israel." While the sacrifice of Isaac is passed over without further reference in the rest of the Bible, it figures prominently in Rabbinic literature. The Mishna utilises the incident in the special invocation for fast days: "He who answered Abraham at Mt. Moriah, may He answer us."<sup>106</sup> That incident is counted as the tenth test to which Abraham was subjected, and whereby he demonstrated his unswerving devotion to God. The Mekilta, on the other hand, refers to the blood of Isaac. Commenting on Ex. 12.23, "And when He seeth the blood," the Mekilta states, "He seeth the

<sup>103</sup> Tosafot Sabbath 55a.

<sup>104</sup> S. Schechter, *Aspects of Rabbinic Theology*, p. 179; see S. Baer, *Abodat Yisrael*, p. 88.

<sup>105</sup> Aggadat Bereshit 84.3; cf. Midr. Ps. 121.1; Targum Jonathan, Deut. 28.15.

<sup>106</sup> Taanit 2.4.

blood of the sacrifice of Isaac."<sup>107</sup> This agrees with the view that the Akedah took place in Nisan.<sup>108</sup> R. Jose the Galilean says that because of the merit of the Akedah God divided the Red Sea for Israel.<sup>109</sup> According to the Targum of Canticles 1.3, the merit of the Akeda atoned for the sin of the Golden Calf.

The Akeda looms large in the thought of the Amoraim. Two reasons are offered for covering the head with ashes on fast days. The first is that God may recall the merit of Abraham who spoke of himself as dust and ashes (Gen. 18.27). The second is that God may remember the ashes of Isaac as if they were heaped upon the altar.<sup>110</sup> R. Abahu says that the reason for blowing a ram's horn on Rosh Hashanah is that God may recall the binding of Isaac to the credit of his descendants and account it to them as if they had offered themselves up to Him.<sup>111</sup> The Babylonian Gemara assigns the reading of Gen. 22 for the second day of Rosh Hashanah, thus definitely linking the holiday with the Akedah.<sup>112</sup> The Jerushalmi presents the following homily of R. Johanan: Abraham said before God: "Lord of the Universe! It is known and revealed before Thee that when Thou didst command me to offer up my son Isaac, I could have pleaded: 'Didst Thou not promise me only yesterday that "in Isaac shall seed be called unto thee?"' " And today Thou biddest me offer him for a burnt offering, God forbid!" I did not speak thus, but I restrained my inclination and did Thy will. Even so may it please Thee, O Lord my God, that when the children of Israel will be in distress, with no one to plead their cause, mayest Thou intercede in their behalf." The words "the Lord seeth" (Gen. 22.14) are explained: "He remembers in their favor the sacrifice of Isaac, and is filled with mercy for them." R. Judah b. Simon says that when, in the course of time, the descendants of Isaac will be entangled in distress of oppressive kingdoms, they will

<sup>107</sup> Tractate Pisha, 11; cf. Ber. 62b.

<sup>108</sup> Ex. R. 15.11.

<sup>109</sup> Mekilta, Beshalah, 1.4.

<sup>110</sup> Jer. Taan. 2.1. So too Babylonian Gemara, Rosh Hashana 16a: "that God may remember in our favor the ashes of Isaac and have mercy upon us."

<sup>111</sup> Pesikta R., 40.

<sup>112</sup> Megil. 31a.

be redeemed "through the horns of this ram, 'And the Lord will blow upon the horn,' etc." (Zech. 9.14).<sup>113</sup> These ideas form the theme of the Zichronot in the Musaf for Rosh Hashanah: "Remember unto us, O Lord our God, the *covenant* and the *lovingkindness* and the *oath* which Thou swarest unto Abraham our father on Mt. Moriah, and may the *binding* with which Abraham our father bound his son Isaac on the altar appear before Thee . . . and the binding of Isaac mayest Thou remember this day to his seed."

The later Haggada expatiates upon the Akeda, and invests some incidents in that event with messianic significance, reminiscent of the Gospel story. Isaac's birth formed the occasion of universal rejoicing, in which heaven and earth, sun, moon, planets and stars participated, for had Isaac not been created the world would not have endured.<sup>114</sup> The great event of the Akeda was entered into by Isaac as well as by Abraham with unflinching faith, despite the devices of Sammael.<sup>115</sup> When Ishmael had vaunted his superiority over him for having suffered himself to be circumcised at the age of thirteen, when he felt the pain more than Isaac who was circumcised on the eighth day of his birth, Isaac replied: "Thou pridest thyself in that thou didst offer up one part of thy body. If God were to ask me to sacrifice my whole being unto Him, I would gladly do so."<sup>116</sup> "He carried the wood for the offering as one who carries his gallows upon his shoulder."<sup>117</sup> The spot where Isaac was sacrificed was the place where subsequently the Temple was built.<sup>118</sup> The ass which

<sup>113</sup> Jer. Taan. 2.4; cf. Gen. R. 56.14.

<sup>114</sup> Cf. Jer. 33.25; Tanh. Toledot, 2; cf. Luke 2.13. Philo represented Isaac as "the direct child of God through Sarah to whom virginity has been miraculously restored." E. Goodenough observes: "How far this allegory of Isaac as the son of God by a virgin was carried out in the *De Isaaco* it is impossible to know, and that impossibility makes it also impossible to judge how literally Philo believed that Isaac as the ancestor of the race was the miraculous son of God. There is at least a possibility that Philo developed the idea in a way so closely parallel to the Christian doctrine about the birth of Jesus that Christian copyists suppressed the text." By Light, Light, pp. 154-55.

<sup>115</sup> Gen. R. 56.4.

<sup>116</sup> Sanh. 89b.

<sup>117</sup> Gen. R. 56.3; cf. John 19.17.

<sup>118</sup> Targum Jer. Gen. 22.14; Gen. R. 56.10.

figured in the drama was the offspring of the ass which was created during the twilight preceding the first Sabbath of the week of creation. Upon it Moses rode when he came to Egypt (Ex. 4.20). It will be ridden upon by the Messiah (Zech. 9.9; cf. Matt. 21.7). The altar was the same one upon which Adam, Abel, Cain and Noah sacrificed.<sup>119</sup> When the knife touched Isaac's neck, his soul departed, but when the command resounded: 'Lay not thy hand upon the lad' (Gen. 22.12), his soul returned to the body, which is symbolic of a future quickening of the dead. The ram, which was to serve as the substitute for Isaac, like the ass, was created on the eve of the first Sabbath. Sammael again tried to upset the offering of Abraham, but did not succeed. The ram was a perfect substitute for Isaac. R. Berechiah said: The sweet savour of the ram ascended before God as though it were the sweet savour of Isaac.<sup>120</sup> According to Hanina b. Dosa, not a part of the ram went to waste. The ashes of the parts burnt upon the altar formed the base of the inner altar of the sanctuary whereon the expiatory sacrifice was brought on the Day of Atonement. Its sinews were used for the strings of the harp upon which David played. Its skin served Elijah for his girdle, its left horn was blown by God at the revelation on Sinai, its right horn — the larger — will be used at the future ingathering of Israel's dispersed, when, "it shall be blown upon the great horn," etc. (Is. 27.13).<sup>121</sup> (This passage links the Akeda with Yom Kippur. This connection was favored by the Cabbalists.)<sup>122</sup> These Haggadas seem to indicate that the ideas of the sacrifice of Isaac in the light of an atonement for the sins of Israel aimed to overcome the claims of Christianity. The merit of the sacrifice of Isaac rendered the need of the justification through the death of Jesus superfluous.<sup>123</sup>

<sup>119</sup> Targ. Jer. Gen. 22.9.

<sup>120</sup> See Zohar, I, 120b.

<sup>121</sup> P. R. E. 31 and notes by Gerald Friedlander; cf. Kasher, *Torah Shele-mah*, p. 904, number 159 and note.

<sup>122</sup> See L. Ginsberg, *Legends*, V, pp. 252-53, n. 248, and *Hazofeh* III, 186-188; It is instructive that Judah Samuel Abbas's piyyut, *Et Shaare Razon Lehipateah*, on the theme of the Akeda, which is recited in the Sefardi ritual before the blowing of the Shofar on Rosh Hashanah, is used in the Italian rite during Neilah. See *Kimha D'abishuna* in Mahzor Roma, *ad loc.*

<sup>123</sup> Cf. Geiger, *op. cit.*, pp. 170-71.



The Targum of Canticles 1.3 claims the merit of the Akeda expiated the sin of the Golden Calf. R. Simlai taught that Moses expiated that sin; of him the prophet said, 'He bore the sins of many' who shared in the worship of the Calf, and atoned for them by his self-sacrifice.<sup>124</sup> According to P. R. E. 45, when, in consequence of the sin of the Golden Calf, God sent the five destructive angels, Wrath, Anger, Temper, Destruction and Glow of Anger, to destroy Israel, Moses appealed to the Patriarchs at the cave of Machpelah for help. Because of their merit, three of these angels were restrained, but two still remained as a menace. Moses implored God to keep back Destruction for the sake of the oath which He swore to the people. God assented, as it is said: "But He, being full of compassion, forgiveth iniquity, and *destroyeth not*" (Ps. 78.83). Moses persisted, pleading that God hold back also the last one, Glow of Anger, for the sake of His great Name (cf. Ex. 32.12). What did Moses do? He dug in the earth, in the possession of Gad, a large dwelling place and imprisoned Glow of Anger therein.<sup>125</sup> Every time Israel sinned, the angel arose and opened his mouth to blow his breath upon Israel to destroy it. Hence his name is called *Peor*, the opener. But Moses pronounced God's Name and brought him down beneath the earth. When Moses died, God buried him opposite Peor, so that whenever Israel sins and Glow of Anger opens his mouth threateningly, he is confronted by the grave of Moses and withdraws.<sup>126</sup> Thus in death as in life Moses continues to secure atonement for the sin of the Calf. Furthermore, the death of all the righteous was believed to effect atonement. To the question: why is the section dealing with the death of the sons of Aaron (Lev. 16), which was supposed to have occurred on the first of Nisan, read on Yom Kippur? the reply is given: to teach you that the death of the righteous atones (like Yom Kippur). Similarly, the proximity of the account of Miriam's death to the section of the Red Heifer (Num. 19 and 20.1-6) is explained as

<sup>124</sup> Sota 114a.

<sup>125</sup> Cf. Jubil. 48.15.

<sup>126</sup> Cf. Deut. 34.6 and Rashi *ad loc.*, also Targ. Jerushalmi; Tosafot Sota 14a.

intended to teach that as the ashes of the red heifer cleanse Israel from impurity, so the death of the righteous atones for Israel's sins.<sup>127</sup>

### *E. Ways of Justification*

The striking divergence of the Jewish and Christian conceptions of Original Sin comes to a climax in their difference of method in overcoming its effects. In Romans 6.2-12, Paul limits the way of salvation to mystic union with Christ. As by his death on the cross, Christ broke all contact with sin, which is an heritage of the first Adam, so the Christian, united with him in baptism, parts once and for all with sin, and lives henceforth a reformed life dedicated to God. Through baptism, the Christian incorporates himself into and identifies himself with Christ. Baptism also expresses a series of acts corresponding to the redeeming acts of Christ. "Through baptism we have been buried with him in death, so that just as he was raised from death to the Father's glory, so, too, we may live a new life. For if we have grown into union with him by undergoing a death like his, of course we shall do so by being raised to life like him, for we know that our old self was crucified with him, to do away with our sinful body, so that we might not be enslaved to sin any longer; for when a man is dead he is free from the claim of sin. If we have died with Christ, we believe that we shall also live with him." The death of Christ, the second Adam, wins for the Christian immunity from the consequences of the sin of the first Adam. We have here a complete application of the basic idea of the mystery religions to Christianity. The believer identifies himself with his god, dies with him, and resurrects with him. Though this process must be undergone in a moral and spiritual sense, this system has no room for the Law, which, according to Paul's dialectics, only

<sup>127</sup> Jer. Yoma 1.1; Lev. R. 20.12; Zohar, III, 56b. At first the Shekina dwelt on earth (cf. 3.8). When Adam sinned it moved up to the first heaven, and did not come down until the day of the dedication of the Tabernacle. (Ex. 25.7; Gen. R. 19.7; Num. 12.6). It was named *Mishkan Haedut* to 'testify' that God pardoned the sin of the Calf and that the Shekina returned to dwell in Israel. Tanh., Pekude, 2, 6.

makes for sin, or for any observances whatever (Rom. 7.7-10). The Law is superseded by grace.<sup>128</sup>

In contrast to this method, Judaism — despite its doctrine of imputed merit — places full responsibility for his salvation from sin and from its effects upon the individual person, upon his freedom of will, and his good deeds. Pivotal in this viewpoint is the doctrine of repentance. Adam and Eve are treated as types of penitent sinners in both the Apocrypha and in Rabbinic literature.<sup>129</sup> P. R. E. 20 presents Adam praying that his sin be removed so that all generations may learn to know that there is repentance and that God receives the penitent. Indeed, repentance is regarded as one of the seven things that were created before the world was called into being.<sup>130</sup> R. Hanina bar Hama extols repentance for bringing healing to the world. In the view of R. Levi, repentance reaches to the throne of Glory. R. Jonathan teaches that repentance hastens the redemption.<sup>131</sup> That even the greatest sinner need not despair of being received by God is stressed by the example of Manasseh. "The Holy One rejects no creature, but welcomes every one. The gates are open and whoever wishes may enter."<sup>132</sup> Repentance directs man to a life of righteousness and is associated with prayer and charity as means of salvation.

Another means of overcoming the effects of the fall is circumcision, the sign of the covenant of the Jewish people and God. Akiba explains the reference to the 'covenant' in Ex. 19.5 as the covenant of circumcision and the covenant against idolatry.<sup>133</sup> The reference to the flaming sword "which turneth everyway" (Gen. 3.24) was taken to be Gehenna, and was set up right after the expulsion of Adam and Eve from Eden. It turns upon a man and sets him ablaze from head to foot. What instrument may save him from its flames? R. Huna says: the sword of circumcision (cf. Jos. 5.2). The rabbis maintain: the sword of

<sup>128</sup> Sanday, *op. cit.*, pp. 153 ff.

<sup>129</sup> Book of Adam and Eve 1; 9; 27; 32; Erub. 18b; Ab. Z. 8a; A. R. N. I.

<sup>130</sup> Pes. 54a; Ned. 39ab; Midr. Ps. 90.12.

<sup>131</sup> Yoma 86ab.

<sup>132</sup> Ex. R. 19.4.

<sup>133</sup> Mekilta, Bahodesh, 2.

Torah (cf. Ps. 149.6).<sup>134</sup> R. Eleazar b. Azariah points to the contempt in which the Bible holds the lack of circumcision. R. Ishmael adds: Great is circumcision, with reference to which the word 'covenant' is repeated thirteen times (Gen. 17.2-21). R. Judah Hanasi says: Great is circumcision, for despite all the commandments which Abraham our father fulfilled, he was not called 'perfect' until he was circumcised, as it is said 'Walk before Me and be perfect' (Gen. 17.1). Another opinion is expressed that were it not for the covenant of circumcision, God would not have created the world.<sup>135</sup> Still another idea is cited that circumcision outweighs all the commandments of the Torah, also that the covenant of circumcision outweighs the whole Torah.<sup>136</sup> This is understandable in the light of Paul's statement in Galatians 5.3 that any man who lets himself be circumcised is under obligation to obey the whole Law. In opposition to his claim that "if you belong to Christ, then you are true descendants of Abraham, and his heirs under the promise" (Gal. 3.29), Judaism emphasized the demand of circumcision of both Jews and Proselytes.

In place of the Christian emphasis on baptism, Rabbinic Judaism stressed circumcision as a means of escaping damnation. R. Levi teaches that in the future world, Abraham will be seated at the door of Gehenna and keep out of it every circumcised Jew. What does He do with Jews unduly steeped in sin? He removes the foreskin from children that died before they were circumcised and places them upon the sinners and causes them to go down to Gehenna.<sup>137</sup> P. R. E. 29 states that Abraham was circumcised on Yom Kippur. Every year, God looks upon the blood of Abraham's circumcision and pardons the sins of his descendants. On the spot on which the blood of his circumcision fell the altar of the Temple was built whereon the blood of the sacrifices was poured out (cf. Lev. 4.2). By virtue of their circumcision, the prayers of the Jews reach God. R. Eleazar explains the repetition of the word "*b'damayich*" in Ezek. 16.6 as signifying

<sup>134</sup> Gen. R. 21.9.

<sup>135</sup> Ned. 3.11; Mekilta, Amalek, 3.

<sup>136</sup> Ned. 32a; Midr. Haggadol to Gen. 26.5.

<sup>137</sup> Gen. R. 48.8; cf. Erub. 19a; Tanh., Lech Lecha, 20.

that because of the merit of the blood of circumcision and of the blood of the paschal lamb, God redeemed Israel from Egypt and will redeem them again at the end of the fourth kingdom.

The idea of the saving power of circumcision is voiced by the prayer which the Mohel recites after the operation: "Praised be Thou . . . who didst sanctify the beloved one (Isaac) from the womb (i. e., who was sanctified for this command before birth; cf. Gen. 17.19), and hast set a statute in his flesh, and hast sealed his offspring with the sign of the holy covenant (Jacob, who was believed to have been born circumcised). Therefore, because of this, O living God, our portion, ordained the deliverance from the pit our beloved one of our flesh, for the sake of the covenant which Thou hast set in our flesh."<sup>138</sup>

That the Torah saves from Gehenna is the universal belief of the Rabbis. According to the Midrash, when Adam recognised that his descendants would perish in Gehenna, he abstained from procreation, but on learning that after twenty-six generations Israel would receive the Torah, he lived with his wife and raised offspring.<sup>139</sup> The Torah is the instrument wherewith God created the world. Were it not for the Torah, the world could not abide.<sup>140</sup> It is one of the three pillars upon which the Jewish world rests.

The glorification of the Torah by the Rabbis appears to stem from their desire to overcome the antinomism of the Church (cf. Rom. 8.3-4; Gal. 5.2 ff.; Heb. 8). The Torah is an everlasting possession. The words of Deut. 33.4, "Moses commanded unto us the Torah, an inheritance of the congregation of Jacob," are explained in the Sifre as "a heritage for ever." The word *morasha* — heritage — is read *meorasa* — betrothed — suggesting that the Torah is pledged to Israel for all time.<sup>141</sup> The scene at Sinai is pictured as a marriage ceremony. "God received Israel as a bridegroom come forth to meet the bride."<sup>142</sup>

<sup>138</sup> Tosefta Ber. 7.17; Sab. 137b and Rashi. The Tosafot *ad loc.* and in Menahot 53b cites Rabbenu Tam's view that this prayer contains references to all three Patriarchs. See S. Baer, *Abodat Yisrael*, p. 582; B. Lewin, *Ozar Hageonim*, Sabbat, pp. 135-36.

<sup>139</sup> Gen. R. 21.9.

<sup>140</sup> Gen. R. 1.1; Sab. 88a.

<sup>141</sup> Sifre, Deut., 345; Ex. R. 33.7; cf. Rom. 7.2-4.

<sup>142</sup> Mekilta, Bahodesh, 3.

A late Midrash adds: "and the Torah formed the *ketubah*, the marriage deed."<sup>143</sup> The entire generation that heard God's voice at Sinai merited to be like ministering angels.<sup>144</sup>

We noted the saying of R. Johanan that the Torah removed from Israel the pollution of the serpent. The Midrash Haggadol to Gen. 3.24 (also Targ. Jer., ad loc.) states that the Tree of Life which stood in the Garden of Eden was hidden by God, and was replaced for Israel by the Torah, which is a tree of life. By studying it, by perceiving the wisdom of God and His righteous ordinances and laws, by taking them to heart and by practising them, one acquires life both in this world and the next. With reference to Prov. 2.1 the Midrash observes: The Holy One said to Israel at Mt. Sinai: If you will show yourselves worthy of laying up and receiving My Torah and observing it, I shall save you from three visitations, from the wars of Gog and Magog, from the tribulations which will precede the advent of the Messiah and from the judgment of Gehenna. (Mekilta, Vayasa, 5 name these as the reward of observing the Sabbath). And if you will treasure the words of the Torah, I shall satisfy you of the good that I have stored up for the future." God further promised: "If you engage in the words of Torah, they will save you from the way of evil, for they are like a double-edged sword." R. Nehemiah takes the words "double-edged sword" to mean that it bestows life in this world and in the next.<sup>145</sup>

The Midrash inquires regarding the significance of the use of the words *ishim* and *benei adam* in Prov. 8.4 ("Unto you, O men — *ishim* — I call, and my voice is to the sons of men — *benei adam*."). R. Simeon b. Halafta offers the following explanation: If you keep yourselves meritorious and observe the Torah, you will be called *ishim* like Abraham, Isaac, and Jacob, who fulfilled the Torah; but if you do not, you will be called sons of Adam, who did not keep the Torah and was expelled from Eden. Another explanation is that through keeping the Torah Israel will be *ishim* or angels, but if not — they will be

<sup>143</sup> Al-Nakawa, Menorat Hamaor, III, p. 347 and note by H. G. Enelow.

<sup>144</sup> P. R. E. 41.

<sup>145</sup> Midr. Mishle 2.1, 12; Pesikta R. Kahana, Bahodesh Hashlishi, 37.



foolish men.<sup>146</sup> An older Midrash puts it this way: if they engage in Torah, they are like angels, but if not, they are like beasts and animals that do not know their owner.<sup>147</sup>

Deut. 5.26 evoked comments that God said: If it were possible to do away with the Angel of Death, I would do so, but the decree has been issued long ago. R. Jose remarked: It was upon this condition that the Israelites stood at Sinai, viz., that the Angel of Death should have no dominion over them, but they corrupted their ways and became mortal.<sup>148</sup> However, if the Torah cannot prevent physical death, it helps men overcome spiritual death. "The Torah is the antidote to the Yezer Hara. He who takes the words of the Torah to heart is freed from many evil thoughts, from the thoughts of hunger, of folly, of fornication of the Yezer Hara, etc. When Israel engages in Torah and works of lovingkindness, their Yezer is within their power and they are not within the power of the Yezer."<sup>149</sup> Israel is told: "Your accepting the Torah is accounted to you as if you had never sinned."<sup>150</sup> The prayer "Let my heart be undivided in Thy statutes" (Ps. 119.80) is interpreted to mean that David asked God that when he engages in the Torah the evil Yezer may not be permitted to look into his heart and mislead him."<sup>151</sup>

A word must be added about the Day of Atonement. Not only were the circumcision of Abraham and the sacrifice of Isaac associated with it, but attempts were made to link the Torah with Yom Kippur, thus investing it with the greatest possible efficacy. P. R. E. 46 informs us that Moses ascended to heaven for the second time on Rosh Hodesh Elul. He spent forty days on the mount, and descended, carrying the second tables of the Law, on the tenth of Tishri. The people immediately learnt that it was Yom Kippur. The shofar was sounded, and the fast was proclaimed throughout the camp. "Were it not for the Day of Atonement, the world could not stand, for it effects reconciliation in this world and in the world to come, as it is said,

<sup>146</sup> Midr. Mishle 8.1.

<sup>147</sup> Sifre, Numbers, 119.

<sup>148</sup> Mekilta, Bahodesh, 9.

<sup>149</sup> Kid. 30b; A. R. N., I, 20; Seder Elijah Zutta, 1.

<sup>150</sup> Jer. Rosh Hashana 4.8.

<sup>151</sup> Ex. R., 19.2; Midr. Ps. *ad loc.*

'It is a Sabbath of Sabbaths unto you' (Lev. 16.31); 'a Sabbath' refers to this world, 'Sabbaths' to the world to come. Moreover, when all other festivals shall pass away, the Day of Atonement will remain, for it effects reconciliations for weighty as well as for light offences."<sup>152</sup>

Sammael pleaded with God to give him dominion over Israel as well as over all other nations. God yielded to his entreaty, and said: "Behold, thou hast power over them on the Day of Atonement if they have any sin, but if not thou shalt have no power over them." For this reason he is bribed on Yom Kippur (i. e., by offering a sacrifice to Azazel) in order that he may not interfere with Israel's atoning sacrifice to God.<sup>153</sup> Sammael was outwitted, and admitted that Israel is as pure from sin as the ministering angels in heaven. On Yom Kippur, God hears the petitions of Israel rather than the charges of the Accuser, and makes atonement for the altar, the sanctuary, the priests and the people, both great and small.

On Yom Kippur, Moses sought to behold the Glory of God. The angels were jealous of him and sought to slay him, but God Himself protected him with the hollow of His hand (Ex. 33.22). As God passed by, Moses beheld the back of the Shekina and exclaimed: "O Lord, O Lord, full of compassion!" (Ex. 34.6), and pleaded for the pardon of the iniquities of the people, incidental to the worship of the Golden Calf. Had he asked for the pardon of all the sins of Israel to the end of all generations, God would have granted his plea, for it was a time of good favor (cf. Is. 49.8). God assented and said: "I have pardoned according to Thy word" (Num. 14.20).

In contradistinction to the doctrine of atonement in the early Church as the means of overcoming the effects of the fall and of original sin, R. Akiba taught: "Happy are ye, O Israel! Before

<sup>152</sup> Jer. Megil. 1.7, expressing the idea that all festivals will be abolished in Messianic times, except Purim.

<sup>153</sup> Midr. Abchir, cited in Yalkut Shimeoni, Gen. 44; Jellinek suggests that the practice of reading Lev. 18 in the Minha service of Yom Kippur was intended to break the power of Azael or Azazel over the people, for he entices them to sexual immorality. See A. Kohut, *Aruch Hashalem*, art. "Aza," VI, p. 182.

whom do you purify yourselves and who purifies you? [No mediator, but] your Father in heaven, as the prophet states: 'And I will sprinkle clear water upon you, and ye shall be clean' (Ezek. 36.25). Similarly, [God is referred to as] *Mikveh* (literally, hope, but by a word play here construed as a ritual bath) of Israel (Jer. 14.8). As the ritual bath purifies the unclean, so the Holy One blessed be He cleanses Israel."<sup>154</sup> Though God's grace abounds, man must work out his own salvation. R. Isaac comments on the word *va'asitem* ("and ye shall make a burnt offering") in Numbers 29.2 that "God said to Israel: '*Asu teshubah*, repent during these ten days of penitence between Rosh Hashanah and Yom Kippur, and I shall purify you on Yom Kippur and recreate you as a new creature.'"<sup>155</sup>

## 5. A MODERN APPRAISAL

What significance may be attached by moderns to these searching efforts to penetrate the mystery of the persistence and diffusion of moral evil? The scientific study of the Bible excludes the acceptance of the Paradise story as "in some sense a veil of man's spiritual history," except in a homiletical way. Instead of being a divinely inspired answer to the eternal riddle, it forms an attempt on the part of an ancient thinker in Israel to deal with the troublesome facts of pain and death from the standpoint of the early religion of Jahwism, much on the order in which thinkers in Babylonia, Persia, Greece and even among primitive peoples dealt with them in the light of their respective religions. It differs from them chiefly in the deeper moral consciousness with which it views life. Possibly not without justice it was taken to reflect a phase of man's moral and spiritual experience. By virtue of his endowment of reason, which distinguished him from the animals around him, man was free to choose between good and evil. His freedom created a spiritual conflict within him. Temptation, which ever trails freedom, lured him on. Yielding to it, he involved himself in sin by disobeying God, thus

<sup>154</sup> Yoma 8.9.

<sup>155</sup> Pesikta R., ed. Friedmann, p. 169a and notes.

bringing on himself the penalty of mortality. However, he did not forfeit his original gifts of reason and of freedom. Ever confronted by choices between obeying and disobeying the Divine behest, he may range himself on the side of God or rebel against Him. Sin represents man's rebellion against His Creator, the disregard of His will of right and of holiness, and, the pursuit of his pleasures. In consequence, conscience was awakened within him, and he began to hear the voice of God within his soul condemning his actions and filling him with shame and with guilt.

Does this story warrant the belief in the propagation of sin as an inheritance of the race from Adam or the total corruption of man's physical and spiritual nature? Our investigation shows that the conclusions drawn from it by both Christianity and Judaism are without foundation. Tennant writes: "It is most doubtful whether the idea of original or inherited sin occurs in Holy Scriptures and that St. Paul made use of the conception of the imputation of Adam's sin, or of the solidarity of the race, in some undefined way, in the Fall of our first parent is . . . no reason why the Church to-day should take the somewhat incidental utterances on the subject as the basis of its doctrine of human nature. The fictitious importance assigned by theology, in its most scholastic and artificial periods, to the doctrines of the Fall and Original Sin, is an accident of history, not the outcome of the necessary development of the Faith."<sup>156</sup>

Rabbinic Judaism, too, bound as it was to the text of Genesis, did not always recognize the naturalness of death and of physical suffering and regarded them as penalties imposed upon mankind on account of Adam's transgression. However, its moral realism kept it from the quagmires into which Pauline Christianity fell. For all the artificiality of their methods of biblical interpretation and for all the tenuousness of their ideas regarding imputed guilt and merit, the Rabbis bravely championed the dignity of human nature and consistently upheld the justice of God. While dwelling upon the striking changes that came upon Adam in consequence of his disobedience, they avoid the thought that

<sup>156</sup> *The Origin and Propagation of Sin*, p. 150.

he lost his divine image and his mental capacities or that he forfeited his freedom of choice between good and evil. Even the more mystic among them, who admit that "the pollution of the serpent" infected humanity, refuse to consider human nature as hopelessly corrupted. The "broken channels" of divine grace can be repaired by repentance, good works, and Torah. Spiritually every person enjoys complete autonomy. Against the despairing view of human nature as vitiated and depraved, Judaism consistently pointed to the divine capacities and endowments of man. Rejecting also the Greek idea of the corruption of matter, it taught that not only the soul but the body as well is God's handiwork. *Haneshama lach vehaguf pa'alach*. The capacity for goodness inheres in man as the bearer of the divine likeness.

The universality of moral evil, which fills the world with grief derives from no mythical fall of a mythical father of the race in a mythical Paradise, but rather from man's slow advance in the scale of humanity. His appetites and impulses, which he carries within him as a member of the biological kingdom, have not yet been sufficiently mastered and subjected to religious and ethical purposes. However, it is gratuitous to call his heritage of instincts and passions a heritage of sin. It is a normal and necessary part of human nature, without which life could not go on. With the Rabbis we may speak of the Yezer as a neutral endowment, which we ourselves turn into good or into evil. Our instinctual responses and cravings become evil when they are permitted to run wild and to grow into lusts for pleasure, for glory or for power in disregard of reason and of social well-being. No inherited and ineradicable taint keeps the soul from virtue. Man never was vitiated to the point of losing his divine likeness or his ability to partake of God's grace. Sin springs from the mind and the will of man, from his weakness and ignorance. Salvation comes to him not through the mythical death of a divine savior on a cross or through magical rites and sacraments, whether they be baptism or circumcision, but through the resolute direction of his heart and mind away from darkness toward the light of God, through heeding the divine imperatives of personal and social duty, of goodness and of truth.

## THE CONFESSIONS OF JEREMIAH AND THE MEANING OF PRAYER

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WHEN methods of form criticism are applied to the Jeremianic confessions it can be observed that six of the seven usually enumerated fit into a single pattern, though two of the six lack the last of the elements which make up this pattern. The pattern is that of prayer and the answer to prayer and the origin of the pattern is to be found in the law court.

The approach to the discovery of the pattern is by way of the questions: Who is speaking? and to whom? In three brief but significant passages God is speaking, and He is addressing Jeremiah (11.21-23; 12.5, and 15.19-21). In a fourth, which has much in common with these three, although Jeremiah is speaking he addresses his words, as it were, to himself, himself answering himself (20.11). In a fifth, more extended passage (the whole of the confession in chapter 20, verses 14 to 18) the prophet addresses no one in particular; this confession is an agonized cry, without direction, ineffectual. In a sixth similarly irrational short word in 15.10 Jeremiah bitterly addresses his mother. Otherwise throughout the confessions Jeremiah speaks to God.

If we disregard only the bitter word of the harassed prophet to his mother and the undirected cry which concludes chapter 20, the confessions are made up of words addressed by Jeremiah to God and of God's response to his words, one of which responses is conveyed by the prophet to himself.

When one addresses words to God this is what we call "prayer," and when God responds to such words we call this His answer to prayer. If we except the one confession and the one line of a second, then we may correctly describe the confessions as prayer and the answer to prayer. Four of the six confessions, which remain when an exception is made of the seventh, fit this pattern completely. Two are incomplete in the sense that no answer follows upon the prayer.



The six prayers thus isolated have a common purpose. Their purpose is to influence God in favor of Jeremiah and against his adversaries. This purpose pervades all of the several elements which make up the prayers and produces a unity in diversity. "In diversity" because, when the prayers are examined further as to their form, different elements may be observed. Although at times their common purpose obscures their boundaries three elements can be distinguished. The major elements are narrative and plea; and an occasional third element, for want of a better term, may be called an expression of confidence.

The narrative describes to God the treacherous conduct of Jeremiah's adversaries, with the purpose of influencing God to punish them; and it also describes the unimpeachable conduct of the prophet himself, with the purpose of influencing God in his favor. The plea, which has the same double purpose and is distinguishable only formally from the narrative, demands justice: either through the punishment of Jeremiah's adversaries or by way of more suitable treatment of his own person. Formally again, the plea may be either direct or indirect. The direct plea is an imperative: "Do!" or "Desist!" The indirect plea is a rhetorical question or it is an accusation, either of which is so pointed that an answer must be forthcoming. The third occasional element, the expression of confidence, is a brief statement similarly motivated and scarcely distinguishable from the defense narrative; it is an attempt to influence God by praise and by throwing oneself upon His mercy.

These three elements, formally diverse but with a common purpose, in their combination make up the prayers which, with four answers, constitute all but one of the Jeremianic confessions. The answers follow upon the prayers and take cognizance of the several elements therein. Except that the answer follows the prayer the order of the elements within the pattern is flexible and the language free.

The pattern of the confessions, as revealed in this preliminary description, strongly suggests the *law court* as its source. In the confessions we observe a man claiming the right to appear before a higher authority and present his case. We see this man in that presence condemning his adversaries and protesting his

innocence. He pleads and challenges, and demands justice. Then he appears to await the verdict, which, for the most part, is forthcoming.

Not the form of the confessions only but the language also suggests the law-court. Jeremiah addresses God as a שופט צדק — "a righteous judge" (11.20). He refers to his affair as a ריב — "a case at law:" אליך גלית את ריבי — "I have laid my case before Thee" (11.20). He refers to his adversaries not merely as his persecutors (רדפי, 15.15; 17.18)<sup>2</sup> but more pointedly as his antagonists, here employing the word יריבי (18.19) which has unmistakable juridical connotations. The word רשעים appears to be used in 12.1 in the sense of persons who should receive an adverse verdict. In this same verse Jeremiah as much as tells us that this is a legal matter: משפטים אדבר אותך, "I must lay certain cases before Thee."<sup>3</sup>

Jeremiah in his prayers appears as the defendant. And he argues his own case before God even as he does before the princes and people when defending himself against the accusation of sedition in 26.12-15. Perhaps the clearest analogy is with the situation described in Deut. 19.16-19a — the procedure in a case where a man is called upon to defend himself in court against the accusations of false witnesses.<sup>4</sup> Just as there the penalty to be meted out to the false witness is the penalty which would have met the accused had the case gone against him, so in the confession in Chapter 11 God the judge decrees death for the men of Anathoth who with their accusations were contriving the death of Jeremiah.

<sup>1</sup> It is not necessary to read גלותי from גלל, as some suggest, comparing Ps. 37.5; the meaning is not "I have entrusted my cause" but "I have stated (lit. revealed — גלה) my case" — cf. 49.10; Ps. 98.2 and Hos. 2.12 (with לעיני) and, especially, Ezek. 16.37 (with אל). In 15.10 Jeremiah refers to himself as איש ריב.

<sup>2</sup> Cf. Ps. 35.1 and 3.

<sup>3</sup> Compare the unintentional manslayer, who appears before the gates of a city of refuge to claim the right of asylum and protests his innocence of murder; cf. Josh. 20.4: ושמע פתח העיר ודבר באוני וקני העיר ההיא את דבריו.

<sup>4</sup> In v. 17 the words 'לפני' and 'הכהנים' are probably secondary; and in v. 19a ועשיתם appears to be a substitute for an original ועשו (cf. n. 16).

God's response is twice introduced by the word **לכן**, "therefore" (11.21; 15.19), just such a word as we would expect of a judge about to pronounce his verdict on the basis of the argument he has heard presented.<sup>5</sup>

The conception that God hears cases and judges them is, of course, not foreign to the Bible. It is related to such dominant ideas of biblical Judaism as the covenant between God and Israel, the moral nature of God, and God's ethical demands, especially His demand for justice. The mythology of the New Year's ritual, according to which God is thought to hold court annually and to judge mankind is similar, as is the Judgment Day of biblical eschatology. It is as a corollary of God's moral nature that He is the warder of contracts, that they are often solemnized in His "presence" and that He serves as a lasting "witness" to the terms thereof.<sup>6</sup>

Specific evidence that God was thought to be the judge is supplied by such expressions as **ישפט י' ביני ובינך**: "May the Lord judge between me and thee" (Gen. 16.5)<sup>7</sup> and by other, more revealing passages, in which God is represented not only as one who determines upon the offender but also as the one who exacts the penalty for the offense, e. g.: **ישפט י' ביני ובינך ונקמני י' ממך**: "The Lord judge between thee and me and the Lord avenge me on thee but let not my hand be upon thee" (I Sam. 24.12);<sup>8</sup> or the confident word of the Eved Yahveh in Isa. 50.8-9a:

קרוב מצדיקי	....
נעמדה יחד	מי יריב אתי
יגש אלי	מי בעל משפטי
מי הוא ירשיעני	הן אדני י' יעזר לי

<sup>5</sup> Cf. Gen. 4.15 and 30.15 for replies to an argument, introduced by **לכן**.

<sup>6</sup> Cf. Gen. 31.46-53; Josh. 24.21-27; I Sam. 12.5; 20.23; Jer. 34.15-18; 42.5, and the invocation of God's curse upon one who breaks an oath, as suggested by the frequent formula: **כה יעשה לי אלהים וכה יוסף אם . . .**

<sup>7</sup> Cf. Gen. 31.53: **אלהי אברהם ואלהי נחור ישפטו בינינו**; Judg. 11.27: **ישפט י' והיה י' לדין ושפט ביני ובינך וירא וירב את ריבי וישפטני מידך**; I Sam. 25.39: **ברוך י' אשר רב את ריב חרפתי מיד נבל ואת עבדו חשך מרעה ואת רעת נבל**.

<sup>8</sup> Cf. I Sam. 24.15: **השפט היום בין בני ישראל ובין בני עמון**.  
 השב י' בראשו.

"Near at hand is He who will give me the favorable verdict.

Who dares oppose Me? Let us together stand (before the Judge).

Who has litigation with me? Let him approach.

Lo, the Lord will aid me; who is he who can make me out the guilty one."

The Eved confidently states what Jeremiah only dares to ask for.<sup>9</sup>

The idea of God as judge appears to have been reflected in practice. Cases were brought to the sanctuary and God's judgment sought, as can be inferred, for example, from Ex. 22.8: "עד האלהים יבא דבר שניהם. אשר ירשיען אלהים ישלם שנים לרעהו" "Unto the Lord shall come the case of both. He whom the Lord will sentence shall pay the other double."<sup>10</sup> Decisions rendered by the Urim and Tummim or the ephod were regarded as divine decisions; and sanctuary priests functioned as judges.

Now the terms which are employed in passages which reflect the concept of God as judge do not differ from the terms employed in references to ordinary human courts.<sup>11</sup> Accordingly it is argued that the language which a man used when, in prayer, he appealed to God as judge, corresponded to the language of

<sup>9</sup> Cf. Isa. 54.17: לשון תקום אתך למשפט תרשיעי (-scil. "with God's aid"); Ps. 37.33: לא יעזבונו בידו ולא ירשיענו בהשפטו; Ps. 35.23 f.; 43.1; Lam. 3.59.

<sup>10</sup> It is possible that a trial by ordeal is involved. An ordeal procedure in the sanctuary (for the woman accused of adultery) is described in Num. 5.18-28. Since the decision in a trial by ordeal was, no doubt, thought to come from God, the ordeal is an example of His presumed activity as judge. — I Ki. 8.31 f. also alludes to a legal procedure in the sanctuary: את אשר יחטא איש לרעהו ונשא בו אלה להאלחו ובא אלה (ואלה or) לפני מזבחך בבית הזה ואתה תשמע השמים ועשית ושפטת את עבדיך להרשיע רשע לחת דרכו בראשו ולהצדיק צדיק לחת לו כצדקתו. Cf. also Ex. 23.7b (if the text is correct): לא אצדיק רשע and Jethro's advice to Moses in Ex. 18.19: היה אתה לעם מול האלהים והבאת אתה את הדברים אל האלהים.

<sup>11</sup> Cf. Deut. 25.1: כי יהיה ריב בין אנשים ונשאו אל המשפט ושפטום והצדיקו את הצדיק; כי יהיה להם דבר בא (ובאו or) אלי ושפטתי בין איש ובין; Ex. 18.16: והרשיעו את הרשע. . . ראה דבריו טובים ונכחים ושמע אין לך מאת המלך. . . מי ישימני: II Sam. 15.3 f.; רעהו and Deut. 19.16-19a שפט בארץ ועלי יבוא כל איש אשר יהיה לו ריב ומשפטו והצדקתיו (above, n. 4).

a man defending himself before a human court, and that this is particularly evident in the prayers of Jeremiah.

These analogies between the confessions and the law court, both as to procedure and as to language, striking though they be, do not lead to the conclusion that the scene of the drama which unfolds itself in the confessions is the law court or that the confessions are court records of cases involving Jeremiah. The confessions are prayers and the answers to prayers. The prayers are addressed to God and it is God who responds. The similarity is no more than linguistic and formal. But the form of the confessions is manifestly juridical.

We may not overlook, in this connection, the suggestion of Eissfeldt (*Einleitung in das Alte Testament*, Tübingen, 1934, p. 129) that Jeremiah patterned his confessions (consciously or unconsciously) on a customary cult procedure. Eissfeldt assumes the existence of a professional group which he designates "cult prophets." Prayers similar to those which make up the major portion of the confessions were, he suggests, spoken in the presence of these officiants who then responded, answering for God the prayer directed to Him by the individual or the community. Eissfeldt does not seem to mean that the prayer portions of the Jeremianic confessions were spoken before cult prophets (which would be extremely improbable in view of Jeremiah's hostility to the professional prophets) nor does he appear to say that the answers which conclude some of these confessions were spoken by the cult prophets in whose presence the prophet prayed. He implies no more than that Jeremiah patterned his confessions on a customary cult procedure of prayer and response, himself replying to himself as from God whose word since his youth he had articulated.

And so, although this suggestion may not be overlooked, it does not actually stand opposed to our proposition. If such a cult procedure is to be postulated this cult procedure itself, as this analysis suggests, is patterned on the juridical process, according to which the litigant lays his case before the judge, makes his plea and awaits the verdict. If such a cult procedure were to be postulated it would be necessary to determine *at what time* it arose before answering the further question: whether

the form of Jeremiah's confessions derives directly from the cult and ultimately from the juridical process or whether directly from the juridical process. Directly or ultimately the form of the confessions goes back to the law courts.<sup>12</sup>

<sup>12</sup> With some hesitancy it is proposed that *tefillah*, the common biblical term for "prayer," has a basic meaning related to the presentation of a case before God as judge, as in the confessions.

That the root פלל, from which the noun is derived, has something to do with judging or deciding seems beyond question. In Deut. 32. 31 the phrase וְאִיבֵינוּ פְּלִילִים means "even in the estimation of our enemies," "our enemies (serving) as judges." In the phrase וְנָתַן בְּפִלְיִים in Ex. 21.22 the פְּלִילִים seem, as Julian Morgenstern suggests ("The Book of the Covenant, Part II," *HUCA* Vol. VII, note 70), to be umpires who adjudicate the claim. The word פְּלִילָה is parallel to עֲצָה in Isa. 16.3 and might mean "counsel." The word רָאָה in Isa. 28.7 is a proper description of the function of the preceding נָבִיא and the parallelism suggests the pairing of פְּלִילָה with כֹּהֵן, probably in his capacity as judge. In Job 31.11 we should probably read עֵין פְּלִילִי as in v. 28 and the phrase in both verses seems to mean "a transgression to be condemned," i. e. "adjudged reprehensible." Whereas the "counsel" in Isa. 16.3 is friendly, the judgment here is adverse; so, too, in Ps. 106.30 where the verb occurs: וַיַּעֲמֵד פִּינֹחַס וַיַּפְלֵל. The reference is clearly to the action of Phineas in Num. 25.7 f.: וַיִּדְקֹר אֶת שְׁנֵיהֶם . . . וַיִּבֹּא . . . וַיִּקֶּם מִתּוֹךְ הָעֵדָה וַיִּקֶּחַ רֶמֶחַ בְּיָדוֹ וַיִּבֹּא . . . וַיִּדְקֹר אֶת שְׁנֵיהֶם, where he appears as judge and executioner in one. On the other hand, in Ezek. 16.52 the verb again seems to imply a favorable rather than an adverse judgment. The words with which the verse opens are practically identical with those which conclude the verse, the only significant difference being that צָדִיק (as the word must be read) stands, at the end of the verse, in place of the preceding פֹּלֵל. If these are synonyms, פֹּלֵל means "You made (them, in contrast with yourself) appear innocent" (cf. Jer. 3.11), "You obtained their acquittal." The verb is here followed by the preposition ל. This may be the meaning of the verb in its only other occurrence in the pi'el in I Sam. 2.25. The text in this passage is not beyond question. The two parts of the balanced sentence correspond so precisely that the verbs in the original form of the sentence probably corresponded equally well with both verbs in the pi'el followed by the preposition, and the sentence read:

אִם יַחֲטֵא אִישׁ לְאִישׁ וּפְלַל לוֹ אֱלֹהִים  
וְאִם לֹא יַחֲטֵא אִישׁ מִי יַפְלֵל לוֹ:

"If one man sins against another, God may obtain his acquittal (i. e. show him mercy and withhold the penalty); but if a man sins against God, who then can obtain his acquittal?"

The word "probably" appears too frequently in this note for any conclusion based thereon to be more than a conjecture. But the considerations lead



Jeremiah's narrative is the presentation of his case. As is the way of an advocate, no doubt he overstates the case against his accusers and protests overmuch his own merit. His plea is his demand for justice, and here again he may — in the manner of an advocate — be asking for more than he expects. The few phrases expressing Jeremiah's faith in God and His mercy, or appealing, if one may so speak, to God's vanity, are again such words as might be spoken to a human judge by one who hopes for a favorable judgment.

The *narrative* element in the prayers needs little comment. That Jeremiah's misery is not imaginary Baruch's record amply testifies. We cannot doubt that the prophet is describing reality when he presents his case. But we might well ask why he lays these facts before God. It is not that God is uninformed.

Unlike a human judge, God, the שופט צדק of the confessions, is aware in advance of the circumstances which the prophet sets forth in his prayer. God is a Judge who "examines the reins and the heart" (בחן כליות ולב) 11.20.<sup>13</sup> It is not Jeremiah who is informing God; God first revealed to him a part, at least, of his knowledge of the treachery of his supposed friends. "God informed me"<sup>14</sup> and now I know it," he says. "Then didst Thou

at least to the conjecture that, basically, the verb form להתפלל means, first, "to defend oneself" (before the judge) and, then, "to intercede for another." "to speak in his defense," and that, etymologically, the noun תפלה means "a defense plea" (cf. Ps. 109.7). The variety of meanings attaching to the reflexive verb and the noun in the Bible makes it clear that they soon developed the general significance of "to pray" and "prayer," whatever their etymology may be. (This note was written before I discovered that I. Goldziher made a similar proposal in *Abhandlungen zur Arabischen Philologie*, Leiden, 1896, I, p. 36, n. 1, referred to in M. Bittenwieser, *The Psalms*, Chicago, 1938, p. 747, note to Ps. 109.7. Goldziher states: "Ich denke, [תפלה] ist ursprünglich die Anrufung Gottes als Richter gegen erlittene Unbill. התפלל wäre denn eigentlich so viel wie 'Gottes Richterspruch für sich fordern, Gott als Richter (פלילי) gegen erlittene Unbill anrufen.' Daraus hat sich dann der allgemeinere Begriff 'Gebet' entwickelt.")

<sup>13</sup> The variant of this verse in 20.12 is certainly no improvement. Perhaps the writer of 20.12 was influenced by Ps. 11.5 and I Sam. 16.7. — The idea of 11.20 is repeated in 12.3 and 17.10 — the latter passage probably not by Jeremiah.

<sup>14</sup> Or: "Thou, O God, didst inform me," reading הודעתני because of the

show me what they were doing." "I was an innocent victim led to the slaughter, not knowing what they devised against me" 11.18 f.). He says: "Thou knowest, O Lord, that they planned my death" (18.23a) and he even quotes God's revelation of their perfidy and His warning against their flattery: "Even your brothers and those in your father's house, even they have deceived you; even they have declaimed loudly against you. Trust them not though they flatter you" (12.6). (Cf. also 11.21, a narrative portion of God's answer: "the men of Anathoth who seek your life, saying 'Thou shalt not prophecy in the name of God lest thou die at our hands.'")

Similarly when speaking in his own defense in narrative passages protesting his innocence, Jeremiah seems more to be reminding God of what is already known to Him than to be speaking as one presenting new evidence to the court. זכר, he says, "Remember how I have waited on Thee, to speak on their behalf to avert Thine anger from them" (18.20). To this Judge that searches the reins and the hearts he says: "And Thou, O Lord, knowest me; Thou seest me and searchest my heart (which is) with Thee" (12.3a). And again: "Thou knowest what comes from my lips; it is ever before Thee" (17.16).<sup>15</sup>

Since, then, it is not because he thinks God uninformed that he presents these facts, another explanation must be sought. And the explanation is near at hand. *The presence of this element was necessitated by the form.* Such evidence would naturally be presented before a human judge. The fact that this is not a court scene in reality but a prayer makes possible the attribution to the Judge of advance knowledge; but the ultimate background of court procedure necessitates the inclusion of the narrative element. \*

parallel הראיתי. — The conjunction with which v. 18 begins must be omitted with the LXX.

<sup>15</sup> In the confession in Ch. 15, v. 15 follows directly upon v. 11 when the verses 12-14 are recognized as a corrupt and misplaced repetition of 17.1, 3 f. The words אהה ידעת at the beginning of v. 15 actually form the conclusion of v. 11, for a treatment of which verse see below, n. 24. Appended to v. 11 they, too, serve to remind God of what He must know — that Jeremiah has interceded with him on behalf of the people He has rejected.

And its inclusion in a prayer, as an integral part of the prayer, has psychological significance. In the guise of presenting his case the prophet analyzes for himself his situation. He clarifies it in his mind; he "talks it out."

At times the *plea*, the second element in the prayers, is *direct* and the suitability of the term "plea" is beyond question. Here the verbs are uniformly imperatives, jussives, or cohortatives. The direct plea occurs in passages in which Jeremiah asks that he be treated with forbearance and mercy, pleads for God's favor:

"Heal me, O Lord, and I shall be healed;  
Save me, and I shall be saved" (17.14a).

"Be not a ruin unto me" (17.17a).

"Being long-suffering, take not my life" (15.15b).

It occurs, likewise, in those passages in which he calls down God's vengeance upon his persecutors:

"O let me see Thy vengeance upon them" (11.20b).

"Deliver them as sheep to the slaughter;  
Prepare them for the day of slaughter" (12.3b).

"Bring upon them the day of evil,  
And destroy them with a double destruction" (17.18b).

"Deliver up their children to famine,  
And give them over into the power of the sword;  
And let their wives be bereft of children and widowed;  
And let their husbands be slain of death  
And their sons smitten of the sword in battle.  
Let a cry be heard from their houses,  
When thou bringest a troop suddenly upon them"  
(18.21-22a).

"Forgive not their iniquity,  
Nor let their sin be blotted out from Thy sight;  
But let them be made to stumble before Thee.  
Deal with them in the time of Thine anger" (18.23b).

It occurs finally, in passages in which the prophet combines his

request on his own behalf with his demand for the divine punishment of his opponents:

“Remember me, and think of me, and avenge me on my persecutors” (15.15a).

“Let them be ashamed that persecute me, but let not me be ashamed;

Let them be dismayed, but let not me be dismayed”  
(17.18).

One passage which may indeed belong to this category forms at the same time a link between the narrative and the plea:

“Give heed to me, O Lord,  
And hearken to the voice of them that contend with me” (18.19).

Here the prophet appears to be saying to the heavenly Judge: “Observe that such and such have been my conduct and my demeanor, and thus and thus the words and works of them that I accuse. Consider now and determine who is in the right and who deserve the fury of Thy rebuke.” So understood this passage, also, points to the court-room as the ultimate source of the language and form of the confessions.

So, too, does the demand for *God's* vengeance. It is notable that Jeremiah nowhere in these confessions asks for the power to avenge himself. He asks only (in words gory enough, to be sure) that the Judge exercise justice and execute His sentence upon the guilty. (That it was the duty of the judge in Jeremiah's time to execute his sentence is clear from the wording of Deut. 25.2).<sup>16</sup> Perhaps Jeremiah steps out of his role as self-advocate in that he makes bold to instruct the court as to the sentence;

<sup>16</sup> The expression והפילו השפט והכהו לפניו is not natural Hebrew. “And the judge shall cause him to lie down and *be beaten* in his presence” is a forced translation. The proper subject of והכהו, as of והפילו, is השפט: “the *judge* shall smite him.” The word לפניו appears to be an erroneous gloss added at a time when the custom had changed and the judge was no longer responsible for executing his sentence, or when it appeared to a reader to be beneath the judge's dignity himself to beat the culprit. — Similarly in Deut. 19.19 an

but, if he does, this may for all we know have been the custom in those days. This much is evident: he asks only that God take the matter in hand, clear the innocent and punish the guilty. (God's reply will demonstrate that even this is too much.)

The plea of the prophet is not always as direct as it is in the foregoing passages. At times it is a plea by implication only — in the form of a bold *rhetorical question* or in the form of an *accusation* — neither of which may go unanswered.

When (in 12.1) Jeremiah asks his insistent מָדוּעַ — Why?, he is not posing the eternal query. He is not asking an idle question in a vacuum. When he asks: "Why does the way of guilty men prosper? Why are all they secure that deal treacherously?" the overtones of the words are indignation. The "guilty men" who "deal treacherously" are not persons in general; they are individuals known to the prophet, of whose treachery against his own person he has recently become aware, of whose guilt he is convinced, and whom now he accuses before the bar of divine justice. God knows well their deeds; in fact it is He who is the source of the prophet's knowledge thereof. He knows, as well, their motives, since He "searches the reins and the heart." He who warns Jeremiah: "trust them not though they flatter thee" is surely not deceived when they flatter Him. Surely God does not need to be told: "Although Thou art near in their mouth Thou art far from their reins." Yet God, for Jeremiah, is a righteous Judge bound to do justice. So, when in his indignation Jeremiah asks: "Why does the way of guilty men prosper? Why are all they secure that deal treacherously?" in reality he affirms that justice has miscarried, that God has proved untrue to His own nature. The question is challenge, accusation, and demand in one. The only acceptable answer would be action, not words. Jeremiah already knows that God is just. It is to God's justice

original ועשו seems to have been altered to produce the present reading ועשיתם (cf. n. 4). The change from the third person ודרשו in v. 18 to the second person ועשיתם is awkward and unnatural. Also here, according to the earlier form of the law, the judges execute their sentence. In Deut. 17.7 the witnesses, who must themselves cast the first stone (cf. also Deut. 13.10), parallel the judges who execute their own sentence. (The obvious effect of this procedure is to add to the responsibility of witnesses and judges.)

that he appeals. The question, though a question, is quite as much of a plea as are the bitter imperatives which follow: "Deliver them as sheep to the slaughter; prepare them for the day of slaughter" (12.3b).<sup>17</sup>

The second plea in the form of a rhetorical question is 18.20a. When Jeremiah asks: "Is good to be rewarded with evil?" this question, too, is to be understood only in its context. The "good" which the prophet has in mind is immediately specified; it is his efforts to avert God's wrath from those who have now become his accusers (v. 20b). And he does not leave us long in doubt as to the evil with which his beneficence has been rewarded. These very beneficiaries of my generosity, he says, now "have digged a pit to take me and hid snares for my feet" (v. 22b).<sup>18</sup> The only answer which his question demands is a rectification of the woe-fully apparent injustice. "Is good to be rewarded with evil?" is no less a plea than are the direct words near the end of the confession: "Forgive not their iniquity, nor let their sin be blotted out from Thy sight" (v. 23).

There are three such rhetorical questions in the confessions and the third is this: "Why must my pain be perpetual, and my wound incurable, refusing to heal?" (15.18). The context of the question proves that the pain and the wound are not of the flesh; the pain and the wound are symbols only of the anguish of Jeremiah's spirit. And the source of this anguish appears to be his inability to let go of God. The only answer God can give is to dismiss him from His service. It is for release that he here appeals — not directly, to be sure, but by implication. And the implication is strengthened by what immediately follows — an accusation so bold and offensive that it cannot go unanswered.

<sup>17</sup> Effective use is made of the rhetorical question in the prayers in Jer. 14. Note that the questions in 14.8 and 9a are followed by the negative imperative at the end of v. 9 and those in v. 19 by the same construction in v. 21. Cf. also Judg. 6.13 and I Ki. 17.20.

<sup>18</sup> The words *כי ברו שוחה לנפשי* in v. 20 are a repetition, slightly varied, of the words *כי ברו שוחה ללכרני* in v. 22. They appear to have been added to v. 20 by a reader who noted that, although the word *טובה* in that verse is immediately defined, the word *רעה* remains unexplained until v. 22. The gloss is correct, but it is a gloss.



The accusation is the alternative form of the indirect plea. There are three examples in the confessions of the accusation, and one of these follows immediately upon the rhetorical question: "Why must my pain be perpetual, and my wound incurable, refusing to heal?" It reads: "Thou art unto me verily as a deceptive stream; as waters that cannot be relied on."<sup>19</sup> And the second example is found in 20.7, at the beginning of a confession: "Thou hast enticed me, O Lord, and I was enticed; Thou hast overpowered me and prevailed." Both of these passages have, indeed, the form of narrative, and it is only the challenging nature of what they say which suggests their classification as pleas by implication. Remember that the accusing words are addressed to God as the warder of justice. These accusations are declarative sentences — the verbs are in the indicative — but they have the sting of commands.

The third accusation is a passage upon which our considerations cast new light. It is the opening words of the confession in chapter 12: *צדיק אחה י' כי אריב אליך אך משפטם אדבר אותך*. The verb *ריב* describes the contest between two litigants before a judge and the noun *צדיק* designates the one who is awarded the favorable judgment. Desperately the prophet says: though he knows in advance one must lose his case who enters into litigation with God he cannot refrain from speech: "Thou wilt prove the *צדיק* O Lord, if I dispute with Thee; nevertheless I must lay certain cases before Thee." These words are an accusation and God is the accused. He is accused and judge in one. Just as a human judge must recognize the higher authority of the law which he administers, so God the divine judge does not stand above the principle of justice. When Jeremiah (like Job in a later century) calls upon God to defend Himself he is appealing over God to that Law which God as judge must administer without partiality. "Shall not the Judge of all the earth act justly?" (Gen. 18.25).

For a full understanding of the prayers of Jeremiah the

<sup>19</sup> For a similar accusation cf. Jer. 4.10. Here Jeremiah quotes the deluded prophets (rd. *ואמרו* as a continuation of *יחמרו* in v. 9) who accuse God of having deceived them. Cf. also Ex. 5.22-6.1.

*answers* are as significant as the prayers themselves. In three of the confessions, as we noted at the outset, there can be no doubt that the verses with which they conclude were understood by Jeremiah as God's answer to his prayer, which in each precedes. In two of these an introductory formula: "Therefore thus hath God said" (11.21 and 15.19), removes all doubt and in the third (12.5) the words are clearly addressed to the prophet by his interlocutor who here is God. These three confessions are "complete" in the sense that they are made up of prayer and answer. But a fourth may be included among the complete confessions, because, although Jeremiah does not understand the answer as from God, this confession also concludes with an answer — one which the prophet finds for himself. Because this answer (in 20.11) has so much in common with two at least of those three which he attributes to God we may consider them all as answers without distinction. Psychologically, at any rate, they may be equated. The answer comes at the moment of intense reflection when the prayer has reached its climax.

The confession in chapter 17 ends with no recorded answer. It is made up of narrative and plea, the two elements of all the prayers, but it reaches no conclusion. The prophet prays in vain. He narrates the offense of his persecutors: they taunt him saying: "Where is this word of God? Let it come to pass" (v. 15). He defends himself against the reproach of God and men: he has neither sought to evade his responsibility as God's servant nor desired the grievous day, as God well knows (v. 16). He pleads for God's aid: "Heal me!" "Save me!" (v. 14), "Be not my ruin" (v. 17a); and for destruction for his tormentors: "Let them suffer shame and not I; break them, not me" (v. 18). That is all, except for the faint breath of confidence in the two phrases with which he attempts, by praise and the affirmation of his faith in God's justice, to influence the Judge in his favor: "For Thou art the object of my praise" (14b); "Thou art my refuge in the day of distress" (17b).

The confession in Chapter 18 is similarly composed simply of narrative and appeal, without response. For the most part the narrative reviews the machinations of those who would silence the prophet, devising devices, setting traps, even plotting

to take his life (18, 22b, 23a). Jeremiah speaks briefly here of his own inoffensive conduct and reminds God of his intercessory efforts on behalf of those who now seek his undoing (20b). The rest is a plea. Introducing his plea with the question: "Is good to be rewarded with evil?" (20a), he calls for God's judgment upon his adversaries (21-22a, 23b). In this confession, too, he gets no farther. His plea falls on deaf ears.

But the confession in chapter 11 (with 12.6 to be inserted after 11.18, as most agree)<sup>20</sup> comes to a gratifying conclusion. The prayer is largely narrative, contrasting the treacherous scheming of the prophet's family and townsmen with his own unsuspecting simplicity (11.18; 12.6; 11.19). The plea is briefly phrased: "Let me behold Thy vengeance on them" (11.20b). By way of influencing the Judge he attributes justice and insight to God and expresses resignation (11.20). The answer is as brief as the plea. The judgment is pronounced: The men of Anathoth shall meet the fate they planned for Jeremiah (11.21-23.)

The prayer in the confession in chapter 20, verses 7 to 11, is predominantly narrative. What it contains by way of plea is only implicit. Again the narrative chiefly concerns his mocking adversaries who would betray him. He is the constant target of their laughter and scorn (7b). Only disgrace rewards his efforts (8b). The multitude, presumed friend and foe alike, spreads an evil report of him, seeking his ruin, watching for him to make the slip which would put him in their power and afford them revenge (10) — as though he had done aught to merit their hostility. The fault lies not in him but in God. It is because he is the bearer of God's word that he must cry aloud, heralding violence and ruin and it is this word that brings upon him dis-

<sup>20</sup> God's answer in v. 5 to Jeremiah's prayer in verses 1-3 concludes the confession in Chapter 12. Although verse 6 is also addressed by God to Jeremiah, it is not a continuation of the answer in v. 5. It is not, in fact, an answer at all; it is, so to speak, information conveyed by God to His prophet — information which will prompt him to pray. It is such information as Jeremiah claims in 11.18 to have received from God, and the logical position of 12.6 is after 11.18, where it may stand as a direct quotation by the prophet of God's word to him.

grace (8). So he turns upon God, now in the third person, addressing him obliquely, and now in the second person, straightforwardly. "If I say I will not remember Him and will no more speak in His name then there is within me, as it were, a raging fire pent in my bones; in vain I weary myself to restrain it" (9). "Thou hast enticed me, O Lord, and I was enticed; Thou hast overpowered me and prevailed" (7a). Indirectly, implicitly, this accusation is his appeal. There is none in this prayer if it be not in the words with which it opens: "Thou hast enticed me"; "Thou hast overpowered me." If this is a plea by indirection, as indeed it appears to be, the plea is for release from an imposed task which has proved too burdensome to bear.

But strangely enough, the answer he finds does not provide the escape he seeks. It does not save him from God but it arrests his flight. He realizes that, paradoxically, his weakness is his strength. Just because God is "with" him (this tyrannical power which is God) not he but his tormentors shall fail and suffer everlasting disgrace (11). Jeremiah himself announces the verdict and it does not in effect differ from the divine judgment which concludes the foregoing confession in chapter 11: his tormentors shall fail. The effect is the same but the implications are larger. In this confession in chapter 20 he has asked for more than a verdict against his persecutors: he has asked God to release him from his task. And now in phrasing God's supposed reply he modifies his desire; he withdraws his request, as it were. If *God* lets him go his *persecutors* will prevail. He cannot have both at once, victory over his enemies and release from God's service — and he clings to God.

The prayer in the confession in chapter 15 is contained in verses 10b<sup>21</sup> to 11 and 15 to 18, and the answer to the prayer in verses 19 to 20.<sup>22</sup> In the narrative element in the prayer Jere-

<sup>21</sup> V. 10a is an integral part of the confession but it is not a part of the prayer. In this half verse Jeremiah addresses his mother and only turns to God in 10b or 11. V. 10a may be termed a transition to prayer, or a preparation for prayer. As in the vehement curses involving his birth in 20.14-18, erratically the prophet is seeking someone other than himself to blame for the anguish of his spirit (cf. n. 29).

<sup>22</sup> V. 21 is something of an anticlimax. God's answer is complete in v. 20

miah devotes but little attention to his adversaries, saying of them only: "They all curse me" (10b). For the most part he pleads his own merit. Their curses are undeserved. Not only has he neither a borrower nor a lender been (10b) but, as God well knows,<sup>23</sup> he has even sought to intercede for them to avert the impending evil (v. 11).<sup>24</sup> Now not men alone but God as well has betrayed him. So he complains of God to God. God should know that serving Him has brought disgrace upon His prophet (15b). Jeremiah has kept faith. He has willingly, gladly, served as God's mouthpiece (16); he has denied himself life's amenities and sat alone filled, by an irresistible<sup>25</sup> God, with gloomy thoughts (17). Here his direct appeal: "Notice me, O Lord, and avenge me on my persecutors; being long-suffering take not my life" (15),

and is sealed with the formula נאם י'. These considerations as well as the repetition of להצליך of v. 20 in והצלחך of v. 21 and, in general, the unimaginative language of v. 21 suggest that the verse is a gloss. But the sense of the passage would not suffer if it were retained.

<sup>23</sup> The words אמת ידעת of v. 15, which, after the omission of 12-14 (see above, n. 15) follow immediately upon v. 11 and form its conclusion.

<sup>24</sup> The text of v. 11 is not in order. Neither the Kethib שרותך nor the Keri שריתך yields a suitable sense. In view of the parallel הפנעתי בך (which seems to mean "I interceded with you" — cf. 36.25 and Isa. 53.12) the best of the suggested readings appears to be שרתך "I served you" (from שרת). But if this is correct, it is clearly not God who served and interceded with Jeremiah but the reverse, and the prophet must be speaking. Accordingly אמר is not original. The LXX apparently read אמן with י' in the vocative. The LXX employs the same term here as for אמן in 11.5 and consistently in Deut. 27. The correctness of the reading "Amen!" is substantiated by the repeated אם לא which follows. The words אם לא regularly introduce an affirmative oath in an abbreviated form, the full form of the oath being . . . לא אם יוסף אם כה יעשה לי אלהים וכה יוסף אם לא . . . The oath formula itself is a substitute for an unspecified curse. Following the solemn pronouncement of each curse in Deut. 27 the people respond with "Amen!" by which they mean to say: "May we indeed be cursed if we do — or do not, etc." In Jer. 28.6 "Amen" is explained in the fuller form of Jeremiah's response כן יעשה י' אמן: "Amen! So may God do." Combining י' אמן at the beginning of v. 11 in this confession with אמת ידעת which now stands at the beginning of v. 15, and recognizing the idiomatic use of אם לא, we get the excellent sense: "Indeed, as Thou knowest, Lord, I have served Thee . . ." — For אה, read אל with LXX and the Vulgate. — For the meaning of the verse compare 17.16 and 18.20.

<sup>25</sup> Cf. 10.23.

is sharpened by a rhetorical question: "Why must my pain be perpetual and my wound incurable refusing to heal?", and an accusation: "Thou art unto me verily as a deceptive stream, as waters that cannot be relied on" (18).

To this triple plea: a direct appeal, a rhetorical question and a challenging accusation which may not pass unnoticed, God responds with a startling answer — one which appears at first sight to be no answer at all. It is only when reflection has supplied the transition from prayer to response that the relevance of the reply becomes keenly manifest. The reflection which supplies the transition will be our own reflection but it must mirror what transpired in the mind of the prophet before he could hear his Judge's admonishment.

To what has he given expression in his prayer? And to what position have the urgent outpourings of his emotions brought him at the last? He has given expression to self-pity and he has been led to the, for him, untenable position of one who accuses God of treachery. When pushed to its furthest, his own reasoning has led him to a conclusion which he cannot accept. In the very process of marshalling his arguments, stating his case and phrasing his desires he has come to a double realization: that his wishes were not as he thought, and that his arguments have convicted only that party whom he held to be the aggrieved — none other than himself.

Having reached this point the prophet is fully prepared to hear God's verdict, a judgment now indeed relevant and adequate:

If you repent I will take you back —  
You may minister unto me.  
And if you distinguish the worthy from the cheap  
You may serve as my mouthpiece.  
Let them be drawn to you  
Not you to them.  
Then will I make you anent this people  
As a fortified wall of bronze;  
Though they contend with you  
They will not prevail,



For I shall be with you  
 To save and deliver you.  
 This is the oracle of God.

The one remaining confession consisting of prayer and response is in the first five verses of chapter 12, of which the fourth verse is, for the most part at least, an intrusion from a different context.<sup>26</sup> The prayer narrative in this confession is brief. It speaks of the prophet's two-faced adversaries, men who talk glibly to God though He is far from their hearts<sup>27</sup> and yet, planted by God, are firmly rooted and prosperous (v. 2), and it speaks of the prophet himself: God knows how faithful is his heart (v. 3a). The rest, again, is a triple plea: a direct appeal: "Deliver them as sheep for the slaughter; prepare them for the day of slaughter" (v. 3b); a rhetorical question: "Why does the way of guilty men prosper? Why are all they secure that deal treacherously?" (v. 1b); and a veiled accusation, which, freely translated and interpreted, means: You have to be in the right, Lord, if I argue with you! nevertheless I will call your attention to certain cases (v. 1a).

In this confession as in the one just analyzed, the verdict or response of God is seemingly irrelevant and has meaning only if, here as there, between prayer and response reflection effects a transition. But so it does, and in similar fashion. The implications of the rhetorical question and the veiled accusation are these: that God is unconcerned at the fate of His prophet and the success of that one's treacherous foes, and that God holds Himself above reproach, being right only by virtue of His authority. But these implications, too, are inconceivable; hence the reasoning is patently false. The prophet has placed the

<sup>26</sup> If we read the last word of the verse אֲרַחֲמֵנִי with the LXX, then the words אֲרַחֲמֵנִי אֶת יְרֵאָה לֹא אֶפְרֹי כִי give the impression of belonging in the context of this confession. They may originally have formed a couplet with v. 2b. This couplet would bring Jeremiah's opponents in sharp contrast with himself. He realizes that his very thoughts lie revealed before God, whereas his opponents deny that even their actions are known to Him (cf. Ezek. 8.12b; 9.9b). — But the rest of v. 4, which explains a natural calamity (drought) as the result of human depravity, has no conceivable relation to the context. Not calamity but prosperity and contentment are the lot of the רַשְׁעִים in v. 1.

<sup>27</sup> Cf. 11.20; Isa. 29.13, and Ezek. 33.31.

blame where he knows it does not belong. This reflection prepares him for the response.

The language of God's verdict is figurative and cryptic. It is made up of two parallel rhetorical questions. We have already noted the use which, in the prayer sections of the confessions, Jeremiah makes of the rhetorical question. Analogous is the manner here in God's response. Here the questions are admonitory. Addressed as they are to the prophet their effect is to direct his gaze within. Those treacherous ones whose death Jeremiah has demanded are here ignored. And with no single word does God apologize. If Jeremiah's sense of justice has been outraged it can only be he, not God, who has failed.

Jeremiah discovers the weakness within himself:

"If thou hast run with footmen and they wearied thee,  
How wouldst thou race with horses?  
And if thou couldst feel secure only in a land at peace,<sup>28</sup>  
How wouldst thou do in the jungle of the Jordan?"

It is not necessary to interpret the two figures here in their entirety. Biblical metaphors are seldom wholly applicable. The eyes of the poet see only one common aspect of the things compared. What they see here is a man too small for his task — lacking in stamina.<sup>29</sup>

<sup>28</sup> The translation "only in a land at peace" is possible without emendation. The emphatic position of the prepositional phrase before the subject and verb justifies the rendering "only" (cf. Ruth 1.17: "nothing short of death" and Isa. 7.3: "no more than a remnant"). The translation "couldst feel secure" construes *בוטח* as a potential participle. If this seems forced, *אחה בוטח* could be read *לא חבטח* to yield: "If even in a land at peace you lack confidence," or *אחה בורח*: "If even in a land at peace you seek to escape." This latter meaning would fit excellently into the whole context of the confessions. In the confessions Jeremiah stands revealed as a man who is feverishly seeking an escape.

<sup>29</sup> Except for a brief reference on p. 1, we have left out of consideration the "confession" in 20.14-18. We have observed that it is not, like the others, a prayer. It is most like the "transition to prayer" in 15.10a (see above, n. 21). It is not without relevance here, for it reveals the state of mind which led the prophet to address his bitter words to God. Accordingly, an analysis of this confession is in order.

It has two parts. Verses 14-17 are a complex seven line curse. V. 18 is a rhetorical question. The curse is actually five separate curses. In v. 14 Jere-

Taking the six confessions as prayers plus the answers to prayers, we can observe a certain progress when we consider them in the order of their treatment in the preceding section of this study.

miah curses the *day* on which he was born, employing two separate formulae: . . . אָרוּר — "accursed be the day on which I was born" and אֵל יְהִי בְרוּךְ — "let day on which my mother bore me not be blessed." The relative clauses serve both to identify the object here cursed and to give the reason for the curse. In verses 15 and 16 Jeremiah curses the *man* who brought news of his birth, employing three curse formulae: the first (like the first of his curses upon the day): . . . אָרוּר — "accursed be the man who informed my father (saying): 'A male child has been born unto you,' making him very glad"; the second: . . . וְהָיָה — "and let that man be as the cities which God overthrew without mercy"; the third: . . . וְשָׁמַע — "and let him hear a shout in the morning, a battle cry at noon-tide." The relative clause in the first of these three curses again not only identifies the man to be cursed but also gives the reason for the curse. The second and third of the curses define the first, giving specific content to the general term אָרוּר. The concluding verse of this section (v. 17) draws the two sets of curses together, those on the day and the man; but the antecedent of אָשֶׁר and the subject of מוֹתָנִי appears to be neither the day nor the man. The verb can best be construed as impersonal and the whole rendered: "because I did not die at the time of birth, my mother serving as my grave, her womb ever great with me." This concluding line is not a further description of the unfortunate day or man but is a further attempt to justify this outburst of wrath against them.

It is an obviously unreasonable anger. Neither the day of his birth nor the bearer of the tidings had any conceivable responsibility in the matter. Jeremiah himself appears at this point to have recognized the irrational nature of his wrath because he ends his outcry with a querulous "why?": "Why, indeed, did I come forth from the womb to experience trouble and grief and to waste my days in shame?" This is, of course, a rhetorical question. He does not want an answer. He could answer himself, but the answer would only add to his "trouble and grief." He does not care to be reminded of his responsibility, because it is just this responsibility which he is seeking to evade.

Note that nowhere in this composition does the prophet address God. He even avoids the type of curse formula which involves God in the third person: . . . אָרוּר הָאִישׁ לִפְנֵי י' אָשֶׁר (Josh. 6.26; I Sam. 26.19). Once only he talks about God in a relative clause, but he does not confront Him. His "why?" is not addressed to God. It is less a question than a whimper.

We find the same evasion in 15.10a (cf. n. 21). Here also he addresses a complaint to an innocent one. His language is milder and his mien gentler because it is to his mother that he speaks. Not anger but sorrow, with only a touch of resentment, speaks through the words: "Woe unto me, my mother,

The prayer in chapter 17 has no more of an answer than the faint breath of general confidence to be detected in the prophet's words to God: "Thou art my refuge in the day of distress." The confession in chapter 18 can be paired with this one. It too, is an unresolved plea.

The confession in chapter 11 and the one in chapter 20 may be similarly paired. Both conclude with an answer of a sort, the one in words attributed to God, the other phrased by the prophet; but despite this formal difference the two answers are practically the same. Both give Jeremiah the favorable judgment; each is a sentence of doom upon his persecutors. And it is of great significance that the judgments here pronounced, the one by God and the other by His prophet, exhibit this merely formal difference. The voice within here appears as the medium for the communication of the Divine response.

Although these two confessions have much in common a further difference can be noted — one which carries the confession in chapter 20 somewhat beyond the one in chapter 11, and in the direction of the final pair. The answer the prophet found in chapter 11 — the sentence of death on those who sought to compass his death — was comforting indeed but it was apparently too simple to be completely satisfying. The more penetrating analysis of his situation which the prophet attempts in his prayer in chapter 20 brings him to the realization that his struggle is not with men alone; the power that God has over him is the root of all his troubles. He is unable, however, to extricate himself from God's hold on him and he makes the best of it. It is the fact that God is "with" him, he concludes, which gives him the assurance that his adversaries will fail. This conclusion forms the transition to the confessions in chapters 15 and 12.

that thou didst bear me, a man of strife and contention wherever I turn." He is, to be sure, more realistic when he makes his mother responsible for his being, instead of blaming a mere measure of time and a well-meaning friend of the family, but he has here by no means reached the core of reality. His mother indeed shares the responsibility for his existence. But it is not really the fact of his existence that has upset him; it is the use to which his life has been put. It is from what he and God have made of his life that he wants to run away.

These two confessions, complete with God's response, with an intricate self-analysis intervening between prayer and response, further develop the struggle between prophet and God, more daringly and penetratingly placing the final blame not on men but on God, and end as they must with the insight, born in anguish of spirit, that the prophet, not God, is imperfect, that the ultimate source of his misery is his own weak will.

As concerns the meaning of prayer this study of Jeremiah's confessions leads to the following observations:

- 1) Jeremiah's prayers are addressed to a God who hears, before whom a man may state his plea confident that justice will be done.
- 2) In his prayers Jeremiah sets forth in plain words those matters which trouble him, listing his grievances and evaluating his conduct.
- 3) In his prayers also he gives uninhibited verbal expression to his desires.
- 4) After thus stating his case and presenting his plea he pauses for reflection and this silence is fraught with heavy consequences.  
For,
- 5) out of it there come, through channels deep within him, fortitude and a purification of his own desires.

## HAGGĀRÎM, "THE CASTRATED ONE"

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IN MEKILTA, tractate Kaspā, chapter 4, we find the following text: "*Three Times* (which can also be read "feet"). This applies only to such as can travel on foot. *Shall Be Seen*. This excludes the blind. *Thy Males*. This excludes women. *All Thy Males*. This means to exclude the strangers (הגרים), the *tumtum* and the hermaphrodite (Ex. 23.14,17; 34.23; Deut. 16.16). *Thou Shalt Read This Law before All Israel* (Deut. 31.11). This excludes strangers and slaves. *In Their Hearing* (ibid). This excludes the deaf ones. *Thou Shalt Rejoice* (Deut. 16.11). This excludes the sick one and the minor. *Before the Lord Thy God* (ibid). This excludes any person who has become defiled. In this connection the sages said: All are under obligation to appear in the Temple (on the three main Holy Days, Passover, Pentecost and Tabernacles) except the deaf and dumb, the insane, the minor, the *tumtum*, the hermaphrodite, the lame, the blind, the sick and the aged."<sup>1</sup> The same text is found in *Yalqut Shime'onî* on the Pentateuch, end of paragraph 355.<sup>2</sup>

The phrase "This applies only to such as can travel on foot" is missing in the published editions.<sup>3</sup> A. H. Weiss remarks concerning the phrase: "Truly there (in *Yalqut Shime'onî*) the text ends with the words '*regalim*. This phrase applies only to

<sup>1</sup> *Mekilta de Rabbi Ishmael* by Jacob Z. Lauterbach, volume three, Philadelphia 1935, pp. 182-183.

<sup>2</sup> *Yalqut Shime'onî*, Horeb edition, 1926, p. 208; the Mishnah is found in Hagigah 1.1. The Mishnah in the Mekilta does not mention the exclusion of women but they are mentioned as exempted in the Mishnah. The *hgrim* is omitted in the Mishnah and in the Mishnah of the Mekilta.

<sup>3</sup> See H. S. Horowitz and I. A. Rabin, *Mekilta d'Rabbi Ismael* 1931 p. 333, critical apparat to l. 1 (*Corpus Tannaiticum* Abteiling 3, Halachische Midraschim Teil 1, Mekilta).



such as can travel on foot.' This seems to me a marginal note which was inserted into the book proper."<sup>4</sup> However, the text seems to be correct and the phrase original. We see that the scholars deduced from every phrase an exclusion of a certain kind of person from the requirement to visit the temple on the three main holy days: from *yir'eh*, the blind ones; from *zekhûrkā*, the women; from *kol zekhûrkā*, the *hgrîm tumtum* and hermaphrodite. The words *shalôsh regālîm* also must have been used to exclude some kind of person. In order to do so, it was necessary to explain the phrase *shalôsh regālîm*, not as meaning "three times," which actually is written in a later verse, *shālôsh pe'āmîm*, but as meaning "feet." In regard to this, the Midrash added "*Three Feet*. This applies only to such as can travel on foot."<sup>5</sup> Thus the explanation excluded those who cannot travel on foot — that is, the lame ones. Actually in the MS *Midrâsh Hak-hāmîm*, which was in the possession of the late Professor Aptowitz, the phrase "To exclude the lame ones" is still found.<sup>6</sup>

<sup>4</sup> I. H. Weiss, *Mechilta*, kritisch bearbeitet und commentiert, Wien 1865, Commentary *Middôth Sôpherîm* p. 107, note 4.

<sup>5</sup> This text with a small variant is found in the MS of the Mekilta of the Staatsbibliothek München, which has *hammehalkhîm* instead of *hammehalkhîn* and in the Oxford Mekilta MS of Bodliana, which has, as the *Yalqût*, *beragleihen*, instead of *beragleihem*. (See Horowitz-Rabin, *op. cit.* critical apparat to 1. 1).

<sup>6</sup> See Lauterbach *ibid.* p. 182, note to line 38. Also the school of Hillel explained "*Three Feet*, This applies to those who can travel on foot" and on this basis the minor who is not able to travel on foot to the temple in Jerusalem is exempted (Hagiga 1.1). Although the Mekilta did not understand this phrase as exempting minors, yet clearly it, just as the school of Hillel, regarded the passage *shālôsh regālîm tahôg lî bashshânâh* (Ex. 23.14) to be expounded as relative not alone to the time to visit, which is three times and is repeated later, but also to the method of going up. The Baraita actually derived from the word *regālîm* "feet" the exemption from the pilgrimage the cripples who walk on crutches, sick ones, lame ones, blind ones, old ones, and anyone who cannot walk with his feet (Babli Hagiga 4a). In *Pesiqta Zutretha* also the minor is mentioned among the exempted from *Regālîm* (See Horowitz-Rabin, *op. cit.*, notes). It is evident that the Mekilta did not have the text of the Baraita, since the blind ones and the old ones are exempted by different phrases. H. M. Pineles suggests to add here "an old one and who cannot walk with his feet" (*Darkâh shel Tôrah* 1861 p. 198). But this addition is critically unsound. It

But in later times the phrase was omitted from the published texts because the word *hgr̥m* was miscopied as *higr̥m* "lame ones,"<sup>7</sup> and thus were excluded from *kol zekhûrkhā*. The omission of the passage "to exclude the lame ones" occasioned the omission of the whole previous phrase "who can go on foot." The complete original text is accordingly, "*Shālōsh Regālīm*. It applies only to such as can travel on feet; to exclude the lame ones."<sup>8</sup>

In the first two printings of the Mekilta, in that of Constantinople 1515 and of Venice in 1545, the text is: "All Thy Males." This means to exclude the lame ones (את חגרים) *tumtum* and hermaphrodite.<sup>9</sup> Both Weiss<sup>10</sup> and Malbim<sup>11</sup> put the words את חגרים "the lame ones" in parentheses to indicate that the text is corrupt. The reasons are quite obvious. First, both use the rendering which is placed in the brackets: "Another explanation: *regālīm* to exclude lame ones" (Weiss) or "the lame ones" (Malbim). Second, and this is the main argument, does a lame one cease to be a male? How could he be excluded from the word *zekhûrkhā* "Thy Males"?<sup>12</sup>

It is evident on the basis mentioned that *higr̥m* "lame ones" does not fit here. Now in the text published by Lauterbach and in *Yalqûṭ Shime'ônî*, the word in question is not *higr̥m* "lame ones" but *hgr̥m*, namely, the ה (h) of the original was miscopied

is enough to state that the Mekilta exempting lame ones holds the same principle as the School of Hillel and the other sources that exempt from the pilgrimage those unable to walk, either because of their youth or because of any defect of body.

<sup>7</sup> This is the reading of the first printing of Constantinople 1515.

<sup>8</sup> This text is correctly accepted by Horowitz-Rabin, *op. cit.*

<sup>9</sup> See Lauterbach, *op. cit.* p. 182, note to line 40. Horowitz-Rabin cite only the first printing of Constantinople 1515. (See *op. cit.* critical apparat to line 2).

<sup>10</sup> See Weiss *op. cit.* In note 5 he remarks, "The whole section of the Midrash is fragmentary. Ephath Şedeq (These are the notes of the Gaon R. Elija of Wilno, Wilno, 1849) has the text: "Another explanation: *Regālīm* to exclude the lame ones" by *zekhûrkhā* is out of place." Also M. Friedman in his edition (*Mekilta de Rabbi Ismael*, Wien 1870 p. 101 b.) put the words in parentheses.

<sup>11</sup> Exodus with the addition of Mekilta and commentary *Hattôrāh we-hammišwāh* by Meir Leibush Malbim (I used the printing of Wilno 1927).

<sup>12</sup> Horowitz-Rabin omits the phrase entirely.

as ן (h).<sup>13</sup> Actually, the preceding participle 'eth before the word proves that we have here a word with a definite article. Otherwise there would be no need for the word 'eth. It would be sufficient to write: *lehôṣî' higrîm, tumtum wa'androgynos* "to exclude lame ones, *tumtum* and hermaphrodite."

But what is the meaning of the word *hgrîm*? If it is a plural from *gêr* (*haggêrîm*) "strangers," (who came to sojourn in Palestine), the text remains as difficult as before, for the following reasons. (a) How is it possible to exclude "the strangers," "sojourners," from the word *zekhûrkhâ* "thy male?" Does a stranger cease to be a male?<sup>14</sup> (b) If by *haggêrîm* the text meant to designate "the foreigners," who renounced idolatry in order to acquire limited citizenship in Palestine, the so-called *gêr tôshâbh*, there was no requirement for them to come to the temple three times in a year, hence no basis for the Midrash to exclude them from this obligation. However, if by *haggêrîm* is meant "the proselytes," the gentiles converted to Judaism — the so-called *gêr sedeq* — then there is no reason why such persons should have been free from this commandment. A proselyte is a Jew in every respect. (c) Since strangers and slaves, namely strangers who renounced idolatry but did not accept Judaism, and slaves still in bondage were excluded in the same passage of the *Mekilta* from the commandment of *haqhêl* (to gather once in seven years) because they were not "Israelites," (Deut. 31.10-13), why should there have been need to exclude them from visiting the temple three times in a single year?<sup>15</sup> (d) Why

<sup>13</sup> These words are found in the Oxford and München MSS of *Mekilta* and in the commentary *Shebûth Yehûdâh* (See Horowitz-Rabin, *op. cit.* critical apparat to I. 2).

<sup>14</sup> For this reason apparently 'Oth 'Emeth, 'Êphath *Ṣedeq* and *Shebûth Yehûdâh* deleted the words 'eth *haggêrîm*, because how can we exempt *gêrîm* from *zekhûrkhâ* (See Horowitz-Rabin, notes to passage).

<sup>15</sup> The commentaries explained *gêrîm* as meaning "proselytes." Since there was no reason to exempt them from the pilgrimage Pineles deleted the word (*op. cit.* p. 198). Some scholars have tried to explain the exemption of the proselytes on the basis of a statement of Rabbi Ammi that anyone who has no land is exempted from the pilgrimage (Pesahim 8b). However, nobody would exclude proselytes from *haqhêl* since it is stated plainly: "Assemble the people, the men and the women and the little ones, and thy stranger that is

should *haggêrîm*, if it means "stranger," be in the plural and not in the singular, *haggêr*: "the stranger," like its accompanying words "*ṭumṭum* and hermaphrodite," which classes are excluded from visiting the Temple by the same word *zekhûrkhā* "thy males?"<sup>16</sup>

It seems to me the word in question *hgrîm* is not to be read *haggêrîm*, as the plural from *haggêr*, "the strangers," "the sojourners," but *haggârîm*, a singular, a *qatîl* formation from *grm*. The *qatîl* formation is common in Arabic as passive participle, but is found also in Hebrew as '*asîr* "captive," *kathîth* "beaten," *mashîah* "anointed," *ṣâlî* "roasted," *qalî* "parched," *ṣakhîr* "hired," etc. This formation is the regular passive participle in Aramaic, *qîl*.<sup>17</sup> It is true that the Hebrew dictionaries do not give a suitable meaning for this verb; in Arabic, however, the verb *garama* has the meaning "to cut," "to lop off," (a palm tree), "to shear" (sheep) "to bone" (the meat); in Syrian *geram* has the meaning "to cut off" "cut short," usually metaphorically "to decide," especially "to decree;" also, in the Targum appears the *paël*, *gārāmā* "to eat," originally

within thy gates . . ." (Deut. 31.12). From this same verse the strangers are exempted from the pilgrimage. The Mekilta equates the *haqhêl* and pilgrimage. If the Mekilta excludes the *gêrîm* and slaves it is evident that the *gêrîm* are resident aliens (*gêr tôshāb*) and the slaves are not freed. They are not Israelites. That the proselytes shall be obliged to participate in *haqhêl* the expression "and thy stranger within thy gates" is added. This is in accord with the statement of the Mekilta: "Wherever an act is prescribed for Israelites, stranger must be especially included" (Lauterbach, *op. cit.* I p. 79). That *gêr* can refer to "resident alien" we know from Mekilta: *haggêr* (Ex. 23.12) is *gêr tôshāb* "resident alien" (Lauterbach, *op. cit.* III p. 178).

The whole discussion of the scholars as M. Friedman, *op. cit.* p. 101 b note 141; Horowitz-Rabin, *op. cit.*, notes are accordingly baseless.

<sup>16</sup> It is true that both A. Geiger (*Abraham Geiger's Gesammelte Abhandlungen in Hebräischer Sprache*, edited by Samuel Poznanski, Warsaw, 1910 p. 4) and H. M. Pineles (*op. cit.* p. 197) emend "*haggêr* (?)." However, they have no basis other than to harmonize it with its immediate context. Yet a difficult word is not always the wrong one. It should be explained rather than emended.

<sup>17</sup> See Carl Brockelman, *Grundriss der vergleichenden Grammatik der semitischen Sprachen* I Band (1908) p. 354 section 138c; M. B. Schneider, *Tôrath hallāshôn behithpatkhāh*, second edition Wilno 1927, p. 452.

"to cut in pieces," (thus *le'ekōl 'eth bešārî* (Ps. 27.2) is rendered in Targum *legārāmā iath bisrî* "to eat my flesh").

From the Hebrew verb *garam*, then, is derived the *qatīl* formation *gārîm*, meaning literally "cut," then "castrate."<sup>18</sup> Thus *gārîm* would be synonymous with *nathûq* and *karûth* "torn" "cut" (Lev. 22.24) which designates castration in animals.

Four words are known to designate castration in the Pentateuch: *mā'ûkh*, "bruised," *kāthûth*, "crushed", *nātûq*, "torn" *kārûth* "cut." The word *gārîm* is then a fifth possible way of expressing this concept. It is possible that in Tannaitic times the word designated, "the castrated man," whereas the other four designated the castrated animals. It was apparently a provincialism, and became obsolete because the other words were in more common use. The word *sārîs*, which designated originally, "official" *ša rēšu*<sup>19</sup> took the place of the obsolete *gārîm*. Actually the word *sārîs* is found both in the Old Testament and in the Mishnah, but *gārîm* passed out of use; fortunately however it was retained once in the Old Midrash Mekilta.<sup>20</sup>

It may be asked why we have "the castrated with the definite article (*haggārîm*) whereas its accompanying words "*ṭumṭum* and *androgynos*" are without it."<sup>21</sup> For some reason *ṭumṭum* and *Androgynos* appear everywhere without the article. Not only in passages where the noun may be used without the definite article but even in passages where the other nouns are with definite article these two appear without. Thus in the Mishnah: "The guardian, and the agent, and the slave, and the woman and *ṭumṭum* and *androgynos* bring (the first-fruit) but do not

<sup>18</sup> Although the verb *garama* in Arabic has not the meaning "castrate," yet this lack gives no reason for believing that such meaning may not occur in a cognate language, more especially when the general meaning is preserved in both. In Arabic the root has also the meaning "crime." However, this meaning developed from the conception that it is a crime to cut palm trees, just as the Torah also forbade the cutting of trees which supply food in wartime. (Deut. 20.19-20.)

<sup>19</sup> Thus H. Zimmern, *Akkadische Fremdwörter* 1917, p. 6.

<sup>20</sup> Elsewhere I have demonstrated that the word *gārîm* with the meaning "castrated" occurs in Gen. 49.14 (JNES VI [1946] pp. 230-233).

<sup>21</sup> This is the reason why Friedman regards the word as spurious (*op. cit* p. 101b, note 141).

recite" (Bikkurim 1.5). "All are qualified to sprinkle except a *tumtum* and *androgynos* and the woman" (Parah 12.10). The word *garim* "castrated one" was apparently used with the article, as the word *saris* "castrated" is used also with the article.

It may be argued that the text is in error and hence my interpretation of *haggārîm* "the castrated one," is baseless, since the attached Mishnah, which is based on the interpretation of the verse in the Mekilta, does not mention the *haggārîm*, whereas it does mention his companions "*tumtum* and hermaphrodite" as being excluded from the obligation to visit the Temple three times a year. However, it is quite possible that originally the Mishnah also had *haggārîm* as the Mekilta,<sup>22</sup> but it was omitted when its meaning "castrated one" was forgotten. When the word was read *haggêrîm*, "the sojourners," it seemed superfluous, because proselytes are obliged to visit the temple, whereas "sojourners" do not need any special injunction to exclude them from visiting the temple, as they were never obligated to do so.

However, it should be asked why the Mishnah does not mention the eunuch, with the usual word *sārîs*, as being free from the pilgrimage on the three main festivals.

There are several possible explanations.

1. It was unnecessary to exclude a person so unusual as "the castrated one." If the Torah prohibits castration of animals (Lev. 22.24), it goes without saying that human castration was forbidden. The only possible cases to cover would have been those of a castrated gentile who embraced Judaism, or a born eunuch. The Mishnah did not find it necessary to record such an unusual case. Therefore it does not include either the Midrashic *gārîm*, if indeed the meaning of it was known, or the usual *sārîs*.

2. However, it is more likely that we deal with a real difference of opinion between the Midrash, which excluded the *gārîm*

<sup>22</sup> The Mishnah in the Mekilta omits also "women" as exempted from the pilgrimage. But it is found in the Mishnah Hagiga 1.1. The omission in the Mishnah is a mere accident. Actually in *Midrash Hakhamim* women and slaves are added (See Horowitz-Rabin, *op. cit.* critical apparatus to line 5). *Haggārîm*, however, is omitted both in the Mishnah of the Mekilta and in the Mishnah. This omission calls for an explanation.



"the castrated one," and the Mishnah, which did not exclude the castrated one from visiting the temple. The prophet said:

"Neither let the eunuch say  
Behold, I am a dry tree  
For thus saith the Lord  
Concerning the eunuchs that keep my sabbath  
And choose the things that please Me  
And hold fast My covenant.  
Even unto them will I give in My house  
And within My walls a monument and memorial  
Better than sons and daughters;  
I will give them an everlasting memorial  
That shall not be cut off." (Isa. 56.3-5).

The Mekilta, contrary to the tolerant attitude of the prophet, preserved an old law that the eunuch is excluded from visiting the Temple during the three main festivals disregarding the tolerance of the prophet.<sup>23</sup> It held that only complete males must come to the Temple. But the Mishnah, in the mood of the prophet, not only permitted the eunuch to come but even required it. Such men may have been devoted to the Temple, where they would perhaps set up monuments for themselves, since they are deprived of offspring.

3. The exclusion of the three classes from visiting the Temple is based on the word *zekhûrkhâ*, which is repeated three times in the Pentateuch: Ex. 23.17; 34.23 and Deut. 16.16. At each occurrence of the word, one of the classes of defective males, the eunuch, *ṭumṭum* and hermaphrodite is excluded. However the Mishnah, which does not mention "the castrated one," is possibly of the same opinion as Rabbi Josiah, who declares that the first statement cannot be employed for any special interpretation.<sup>24</sup> Since only two repeating verses remained, the most

<sup>23</sup> This of course should not mean that the eunuchs are forbidden to visit the temple and give money for monuments and sacrifices, but they are not obliged to visit it. They would be in the same category as women, who are not obliged to fulfill the commandments.

<sup>24</sup> Mekilta, Lauterbach edition, vol. III, p. 188.

unmanly classes are excluded, the *ṭumṭum* and hermaphrodite, whereas the eunuch was permitted to come for he was at one time a complete male, even if at the time of his visit to the Temple he had lost his male characteristics, the power to marry and beget a family.

4. There may have been a difference of opinion between the Mekilta and Mishnah as to whether a eunuch in general is regarded as a male. According to Mekilta, he is not at all a male, whereas the Mishnah regarded him as a male. Rabbi Joshua said: "I have heard a tradition that a eunuch submits to *ḥaliṣāh* and that his brothers submit to *ḥaliṣāh* from his wife; also [I have heard a tradition] that a eunuch does not submit to *ḥaliṣāh* nor do his brothers submit to *ḥaliṣāh* from his wife; and I cannot explain it." (Yebamoth 8.4). Scholars tried to harmonize these contradictory traditions. Rabbi Akiba explains that the eunuch who submits to *ḥaliṣāh*, is a eunuch made by man, because there was a time when he was potent. The one who does not submit to *ḥaliṣāh* is a eunuch by nature, because he was never potent. Rabbi Eliezer is of a contrary opinion, because the former can never be healed, while the latter can be cured. It seems to me that the two contradictory traditions are based on two diverse attitudes to the eunuch. One would not regard him a male at all, the other would still regard him as a male. The Mekilta excluding the eunuch from visiting the Temple, would also hold that he cannot be submitted to *ḥaliṣāh* because he is not a male, and no brother needs to be submitted to *ḥaliṣāh* by his wife. The Mishnah, not excluding the eunuch from visiting the Temple, would consider the eunuch a male. He, therefore, is obliged to submit to *ḥaliṣāh* and his brothers are submitted to *ḥaliṣāh* from his wife, as if he were fully a male.

It is true that a *merōaḥ āshekh* "one who has his stones crushed" (Lev. 21.20-23), although not permitted to sacrifice, has yet the right, as a male priest, to eat the bread of his God, both of the most holy and of the holy. However, *merōaḥ āshekh* was not a eunuch in the full sense. Not only according to Rabbi Akiba, who explains the meaning of the term "any that has wind in his stones," but also according to Rabbi Ishmael, who explains it by *shenimrehū ashākhāw*, "whose stones are crushed"

(Siphra Malbim edition Emor, 53; Mishnah Bekhoroth 7.5), may not have been regarded as a eunuch in the full sense. However, the tendency of the Tannaitic scholars was to enlarge the rights of the eunuch. While the law states plainly: "He that is crushed or maimed in his privy parts shall not enter in the assembly of the Lord" (Deut. 23.2), that is he shall not be permitted to marry, the later law permitted him to marry a proselyte woman and a freed female slave (Yebamoth 8.2). He is permitted to eat the Heave-offering in full enjoyment of the priestly right (Yebamoth 8.1).

We have seen that there are enough reasons why the Mishnah did not mention the castrated one as being exempted from the pilgrimage. However, the Mekilta excluded him from visiting the Temple, placing him in the same category as the *ṭumṭum* and hermaphrodite. The view of Rabbi Akibah, that a man-made eunuch is a male (Yebamoth 8.4) influenced the Mishnah so that he was not excluded from the force of the word *zekhûrkhā*. But Rabbi Ishmael still adhered to the old view and regarded him as an incomplete male and excluded him. The Mishnah, which stated simply, without qualification: "a eunuch does not submit to *ḥalîṣāh* or contract levirate marriage" (Yebamoth 8.5) expressed the same opinion as the Mekilta: A eunuch is not a male according to the law. The modification of the commentaries that it refers to a naturally born eunuch is pure harmonization. Rabbi Judah actually preserved the old *ḥalakha* when he stated: "If a *ṭumṭum* was found to be a male when the impediment was removed, he may not submit to *ḥalîṣāh* since he is counted as a eunuch (Yebamoth 8.6). It is clear that a eunuch is not regarded as a male.

# THE CHANUKKAH FESTIVAL AND THE CALENDAR OF ANCIENT ISRAEL

(Continued)

JULIAN MORGENSTERN

## VI

### THE HISTORY OF THE CALENDAR IN ISRAEL DURING THE BIBLICAL PERIOD

#### A

##### THE PENTECOSTAD CALENDAR IN THE ANCIENT SEMITIC WORLD

AT THIS point it becomes necessary to make a survey of the various calendars which were in vogue at different epochs in Israel, and presumably also to a certain extent in ancient Syria as well, in order to determine, if this be possible, the place of the Syrian festival and its kindred festivals therein.

The following list of published studies by the author, cited in this section of this study, will supplement the list printed at the beginning of the previous section:

"Biblical Theophanies," *Zeitschrift für Assyriologie*, XXV (1911), 139-193; XXVIII (1913), 15-60.

"The Origin of Maṣṣoth and the Maṣṣoth-Festival," *The American Journal of Theology*, XXI (1917), 275-293.

"The Book of the Covenant," I, *HUCA*, V (1928), 1-151.

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"The Book of the Covenant," II, *HUCA*, VII (1930), 19-258.

"Amos Studies," I, *HUCA*, XI (1936), 19-140.

"Amos Studies," II, *HUCA*, XII-XIII (1937-1938), 1-53.

"The Mythological Background of Psalm 82," *HUCA*, XIV (1939), 29-126.

In the folk-practice of the peasantry of Palestine, and especially in Southern Palestine, today a most interesting calendar is observed. That eminent authority upon the customs, superstitions and folk-practices of the Palestinian fellahin, Canaan, records the following:<sup>240</sup> "In some districts of Palestine the year is divided into seven periods of fifty days each. This division goes by the name, *es-sab(i) 'chamsinât*, 'the seven fifties,' and begins with Easter. I have found it in vogue everywhere in Southern Palestine. Fifty days are reckoned

From Easter to Pentecost,  
 From Pentecost to the 'Grape-watching,'  
 From the 'Grape-watching' to the 'Grape-pressing,'  
 From the 'Grape-pressing' to the Festival of Lydda,  
 From the Festival of Lydda to Christmas,  
 From Christmas to the period of fasting (i. e. Lent),  
 From the period of fasting to Easter.

"Close examination of this division of the year discloses that the beginning and the end of each period is marked by an important festival. Thus, the 'Grape-watching' begins with the Festival of Elijah, while the beginning of the 'Grape-pressing' coincides with the Festival of the Cross. This division of the year into the seven fifties reveals the keen powers of observation of the peasant, for most of these sections consist of approximately fifty days."

"Chronological Data on the Dynasty of Omri," *JBL*, 59 (1940), 385-396.

"Psalm 48," *HUCA*, XVI (1941), 1-95.

"The Ark, the Ephod and the 'Tent of Meeting,'" *HUCA*, XVII (1943), 1-114; XVIII (1944), 1-52.

"Amos Studies," I, II and III were republished in book form, under the title, *Amos Studies*, vol. I, by the Hebrew Union College Press, in 1941.

"The Ark, the Ephod and the 'Tent of Meeting,'" was likewise republished in book form, under the same title, by the Hebrew Union College Press, in 1945.

In both of these volumes the original pagination of *HUCA* is recorded on the inside upper corner of each page.

<sup>240</sup> "Der Kalender des palästinischen Fellachen," *ZDPV*, 36 (1913), 272; cf. also p. 298.

To this record Canaan adds supplementary details: "In the first period come the harvest and threshing of lentils and vetches. In the second period come the harvest and threshing of wheat and barley. The third period is the period of grapes. In the fourth period the olives are harvested and prepared. In the fifth period come the plowing, the sowing and the first portion of the winter. In the sixth period is the winter. In the seventh period are the spring and the beginning of summer. Between the Festival of Elijah (July 20, according to the Julian calendar) and the Festival of the Cross are fifty-four days; between the latter and the Festival of Lydda (November 3, according to the Julian calendar) are fifty days; between this and Christmas (December 24, according to the Julian calendar) are fifty-two days. The number of the days of the remaining 'fifties,' with the exception of that from 'the fasting period' to Easter, which is forty, and the period from Easter to Pentecost, which is exactly fifty days, varies according to the date of Easter. The concept, 'fifties,' is therefore somewhat elastic."

Bearing upon this same theme Dalman writes as follows:<sup>241</sup> "Among the Christians of Palestine the festivals, especially when the emphasis is laid upon completion of agricultural activities, serve as measures of time, thus; the Easter fasting period, the 'Great Festival,' which concludes this period, often called simply 'The Festival,' then Pentecost, in northern Palestine the Festival

<sup>241</sup> *Arbeit und Sitte in Palästina*, I, 8 f., 48-50, 181, 461 ff. Upon pp. 48 f. Dalman compares this division of the year into "the seven fifties" with the ancient Greek practice, recorded by Galen, of dividing the year into seven periods, based upon astral considerations, as follows, spring, from the vernal equinox (March 26) to the rising of the Pleiades (May 29), summer, from then until the rising of Sirius (July 28), fruit period until the rising of Arcturus (September 21), late fruit period, until the setting of the Pleiades (November 5), sowing time, until the winter solstice, winter, until the late rising of Arcturus (February 7), planting period, until the vernal equinox (March 26). Dalman points out that this, too, is basically an agricultural calendar. Yet it is significant for our purpose that it represents actually a fusion of two systems of time-reckoning, one according to the state of the crop and the other according to solar or astral conditions. We shall see that eventually a similar fusion of the ancient pentecontad calendar with the later solar calendar evolved in Israel.



of Elijah on July 20, the Festival of the Cross on September 14, the Festival of St. George of Lydda on November 3, Christmas on December 25, and, finally, Epiphany on January 6, while New Year's Day receives little consideration; all this according to the Greek calendar, which lags thirteen days behind ours and which with regard to the date of Easter rests upon quite different considerations. It has been ascertained that approximately fifty days intervene between these festivals. In El-Ikbēbe the periods are reckoned from the Festival of the Cross to the Festival of St. George and from this to Epiphany, although the latter period actually covers sixty-four days. Epiphany should have been replaced by Christmas, as is actually the case with 'the seven fifties,' which Canaan reports for Southern Palestine. The Easter fasting period, Easter, Pentecost, grape-watching, grape-pressing, the Festival of St. George and Christmas are thus distinguished. But the Festival of Elijah and the Festival of the Cross should really replace 'grape-watching' and 'grape-pressing' . . .

"The Moslems, whose official calendar, with its lunar months, is independent of the solar year, and therefore can not be decisive for the activities of peasants and Bedouin, have adhered from ancient times to the time-reckoning by means of the Christian festivals. Already Muḡaddasi records that the Moslems thus employ Christmas and New Year's (as the beginning of the cold weather), Easter, Pentecost (as the beginning of the heat), the Festival of the Cross (as the time of grape-gathering), the Lydda Festival (as the beginning of the sowing), the Festival of St. Barbara (December 4, as the beginning of the winter rains)."

Commenting upon these festivals, Grant writes:<sup>242</sup> "The feasts constitute a convenient calendar, marking the seasons for the peasantry. For instance, in the autumn three of the feasts are connected in the minds of the peasantry with the coming of rain. At the Festival of the Cross, towards the end of September, the peasants say there is rain on the one hand and summer weather on the other. At the later Feast of St. George (el-Khudr),<sup>243</sup> observed especially at Ludd, it is expected that the

<sup>242</sup> *The People of Palestine*, 124.

<sup>243</sup> Another, popular name for the Festival of Lydda.

rain will come in amount sufficient to enable the farmer to sow and plow. At the Feast of Burbâra (Barbara), in December, they say the rain will come in through every mouse-hole in the house, that is, in an exceptionally heavy downpour. On the first and last of these feasts, the Cross and St. Barbara, parents like to make for their children dishes of boiled wheat with little candles stuck around the top."

Significant in this paragraph is the statement that the Festival of St. Barbara marks the beginning of one of the distinctive weather periods in the year, that of the heavy rain. We have already made reference to this belief, generally current among the present-day Palestinian peasantry. It is plain therefore that in the section of the country in which Grant gathered his information, and apparently throughout the country in general, the Festival of St. Barbara marks the end of the fifth and the beginning of the sixth "fifty," which, in Canaan's tabulation, is the function of Christmas, celebrated just one week later.

It is evident from all this that both of the present-day festivals, the Festival of the Cross and the Festival of St. Barbara, the very close relationship of which to two ancient Semitic festivals, the Israelite Asif-New Year's Day Festival and the Syrian New-Year's Day Dedication Festival, we have established clearly, play a very important and indispensable role in this calendar of the modern Palestinian peasant, the calendar of "the seven fifties." The question which confronts us at the present moment is whether this calendar was observed in ancient Semitic practice, and, if so, whether the antecedents of these two festivals of the Christian Church, played any particular role therein.

In a work of very great significance for the study of ancient Semitic religion and Semitic economic and cultural life<sup>244</sup> Drs. Julius and Hildegard Lewy have established convincingly that a calendar, which divided the year into seven periods of fifty days each, a calendar from which the present Palestinian peasant's calendar of the "seven fifties" must be a direct descendant, was in vogue among the Semitic peoples of Assyria, Babylonia,

<sup>244</sup> "The Origin of the Week and the Oldest West Asiatic Calendar," *HUCA*, XVII (1943), 1-152c.

Syria and Palestine and was employed by Assyrian merchants in their Cappadocian business transactions from near the end of the third millenium B. C. This calendar may well have been in use in these countries from very early, perhaps even prehistoric, times.

This was essentially an agricultural calendar, just as is that of the present-day Palestinian peasants. It divided the year into seven periods of fifty days each, known as a *hamuštu*, a "fifty," each period linked apparently, just as is the Palestinian peasant's calendar of today, with a specific stage of the agricultural year and of the development of the various crops. But an agricultural calendar, no matter what its basis and form be, must of necessity take some cognizance of the solar year of approximately three hundred and sixty-five and one quarter days. And inasmuch as seven periods of fifty days each would yield a total of only three hundred and fifty days, it is obvious that a year of only seven fifty-day periods would fall short of a true solar year by approximately fifteen and one quarter days. Moreover, the solar divisions of the year, the four seasons, also play an essential role in agricultural life and therefore may not be completely disregarded in any true agricultural calendar. Some method or system of compensation or equalization between the seven fifty-day periods and the true solar year was therefore indispensable in order to make this pentacontad calendar, as the Lewys have very fittingly designated it, effective. In Assyria accordingly sixteen days, and in Babylonia fifteen days, were added to the seven fifty-day periods, thus making the actual calendar year in Assyria total three hundred and sixty-six days, and in Babylonia three hundred and sixty-five days. This period of sixteen or fifteen days respectively was known as *šappattum*.<sup>245</sup> In both countries this *šappattum* seems to have been incorporated into the calendar year between the end of the winter "fifty" and the beginning of the "fifty" of the grain harvest.

This calendar went even farther in its system of time recording and linked, very naturally in the light of its basis upon the number, seven, seven years into a unit of reckoning, known as

<sup>245</sup> So also B. Landsberger, *Der kultische Kalender der Babylonier und Assyrier: Leipziger Semitistische Studien*, VI. 1/2 (1915), 134.

*sibūlum*, "the seven." And, in turn, it linked seven such seven-year periods, plus one year, thus corresponding in the numerical process to the organization of the smaller time-unit of seven times seven days (or seven weeks) plus one day, i. e. fifty days, into a large time-unit of fifty years, known as a *dārum*, the antecedent of the Hebrew דור.

The Lewys have shown that this calendar was probably of West Semitic, perhaps, more specifically, of Amorite, origin, and that it may even have been carried into the Mesopotamian lands by the Amorite conquerors of that area at some time within the last quarter of the third millenium B. C. It is not surprising therefore that this calendar should have been generally employed in Palestine from very early times. But the Palestinian form of this calendar differed in one significant respect from its form in the lands of Mesopotamia. Just as in Babylonia, the Palestinian pentecontad calendar year consisted of three hundred and sixty-five days, i. e. the seven fifty-day periods plus the *šappattum* of fifteen days. But, unlike the Babylonian and Assyrian practice, this fifteen days supplement to the seven "fifties" was divided into two periods, one of eight and one of seven days, each in itself known as a *šappatum*. Generally the shorter *šappattum*, that of seven days, was inserted into the calendar between the end of the winter "fifty" and the beginning of the harvest "fifty," i. e. at the same period as in both the Babylonian and Assyrian practice. It was therefore synchronous and identical with the ancient Palestinian Matzot Festival.

The day which followed the close of this *šappattum*, and which was therefore the first day of the "fifty" of the grain harvest, was known in the Akkadian-speaking lands as the day of *šibil niggallim*, of "seizing the sickle." On it, quite obviously, the first sheaf of the grain of the new crop was cut, undoubtedly with fitting ceremonial. We know, from Lev. 23.10-11, 15, that the same custom was current in ancient Israel, that the 'omer, or first sheaf of the new grain, was cut upon the day following the close of the *šappattum*,<sup>246</sup> and that this was the first day of the

<sup>246</sup> The Lewys interpret (*op. cit.*, 78 ff.) השבת in the term, ממחרת השבת, not as "the Sabbath day," but as the *šappattum*, i. e. "the day following the *šappattum*-period of seven days."

fifty-day period intervening between the Matzot Festival and the Festival of First-fruits, also known as *Šabu'ot*, or "Weeks."<sup>247</sup> From Deut. 16.9 it is clear that this day was likewise known in Israel as the day of "beginning (to put) the sickle to the standing grain," a name so similar to the parallel Akkadian title of this same day as to establish beyond all doubt that a close relationship existed between them.<sup>247a</sup> This evidence alone proves with complete certainty, and this proof will be corroborated with an abundance of supplementary data, that the pentecontad calendar must have been current in ancient Palestine, as well as in neighboring Semitic lands, and that it was therefore employed extensively in Israel at least during the early portion of its sojourn in the land.

But this pentecontad calendar had one inherent and serious weakness. It is apparent that to no little extent the calendar, and especially the determination of the precise day upon which the beginning of the reckoning of the new year, the New Year's Day in other words, had to be set, depended upon the state of the crop, and especially of the first grain to ripen in the spring. From this it follows, in the first place, that the New Year's Day of the pentecontad calendar must, if not invariably, at least generally, and certainly logically, have fallen in the spring, and even have had a direct relationship to the Matzot Festival,<sup>248</sup> and also to the next day, the first day of the "fifty" of the grain

<sup>247</sup> The Lewys suggest (*op. cit.*, 92 f.) that שבועות was actually the equivalent of the Akkadian *sibātum* and designated originally the entire period of seven weeks of the grain-harvest "fifty," and that only relatively late did it come to designate the festival on the fiftieth and closing day of this "fifty." This festival was known originally as חג הקציר, "Festival of the Harvest" (Ex. 23.16) or יום הבכורים, "Day of the First-fruits" (Num. 28.26). For the relatively late designation of this festival as Shabu'ot cf. "Supplementary Studies in the Calendars of Ancient Israel," 47 and note 76.

<sup>247a</sup> Stephan, "The Division of the Year in Palestine" (*JPOS*, II [1922], 163, note 1) records that the following axiom is current among the present-day peasantry of Palestine, *Fî ayyâr îhmîl mănjalak u ġâr*, "In May take your sickle and cut with might." This suggests that still today the sickle plays the same role of symbolizing the beginning of the grain harvest in Palestine as it did of old, both in Palestine and in Mesopotamia.

<sup>248</sup> Cf. Lewy, *op. cit.*, 60, 99 f., note 399.

harvest, the day of cutting the first sheaf. As a rule, although the practice varied no doubt somewhat in different localities, the Matzot Festival fell, under the conditions of the pentecontad calendar, upon the last seven days of the year, while the next day, the day of cutting the first sheaf, was the New Year's Day. This was a thoroughly natural calendar procedure in the midst of a purely agricultural civilization.

But, in the second place, it follows that, inasmuch as the development of the crops varied in different lands, and even in different districts of one and the same land, by as much as two full weeks, the pentecontad calendar itself must in its actual use have varied correspondingly in the different lands and districts and even localities. There could therefore have been no truly international nor even national, country-wide pentecontad calendar, and any attempt to establish such would have resulted in extreme confusion and complete futility. Only so long as Semitic peoples were organized with small city-states, with narrow boundaries, as the national political units, could the pentecontad calendar flourish undisturbed. Under these conditions each little city-state must have had its own local form of the pentecontad calendar, with the New Year's Day thereof depending entirely, or almost entirely, upon the condition of the crop within that particular state or district and varying by as much as two weeks from the corresponding calendars of city-states in other parts of the country. Likewise within these local forms of the pentecontad calendar the *šapattum* period or periods may have been observed at different moments of the year, at the end or ends of different "fifties." However, so soon as the small city-state organization of any people or country began to give way to truly national organization, with wide boundaries and broad territorial extent, and to an even greater degree when inter-country or international relations began to develop, either through procedures of conquest or of expanding commerce, the inadequacy of the pentecontad system of time-reckoning, with its varying application to different lands and districts, came to be felt with steadily increasing urgency, and the need of a different, more stable and uniform calendar, capable of national or even international use, manifested itself in compelling manner.



It was these circumstances and conditions which apparently caused the luni-solar calendar, the more stable and more universal character of which is self-evident, to gradually supersede the pentecontad calendar in the various lands of the Semitic world.<sup>249</sup>

## B

### THE CALENDAR IN ISRAEL UNTIL 899 B. C.

From this point on our interest will center for some time in the history of the calendar in ancient Israel and in early Judaism, as this evolved in the post-exilic period of Jewish history.

As we have learned, the biblical evidence indicates that the Israelites must have employed the pentecontad calendar from the earliest period of their residence in Palestine. Because of its basically agricultural character, they could not have known this calendar in the period of their desert sojourn and nomadic or semi-nomadic life, before their entrance into Palestine. Here it must have been in vogue among the Canaanite and Amorite inhabitants of the land long before the advent of the Israelite tribes. These peoples, too, no doubt had found it in use there and gradually adopted it themselves, as they turned more and more completely to agricultural life. It was one of the most fundamental elements of the native, agricultural civilization of Palestine which the Israelites, in turn, borrowed from their Canaanite predecessors in the land and adapted to their own use.

With the pentecontad calendar itself, and with the entire agricultural civilization, they must, of course, have adopted the various agricultural festivals also, for, as is self-evident, these were an integral part of the calendar. This calendar, with its system of seven major religious festivals in the year and with its two *šapattum* periods, the one of seven and the other of eight days, seems to have taken firm root in the cultural life of Israel during its earliest period of sojourn in Palestine. We have learned that the seven-days *šapattum* in the spring was celebrated as the Matzot Festival, while the eight-days *šapattum*, which fell,

<sup>249</sup> This inadequacy of the pentecontad calendar is discussed in detail by the Lewys, *op. cit.*, 82 ff.

usually, though, as we shall see in due time, not invariably, in the fall, at the conclusion of one of the other "fifties of the calendar and coincident with the complete close of the harvest season, was celebrated generally as the Asif Festival, "the Festival of Ingathering." So long as the Israelite nation had not yet evolved, and the clan or, at the most, the tribe still persisted as the largest unit of social and political life within the Israelite people in Palestine, the pentecontad calendar seems to have met adequately all the needs and to have satisfied all the impulses to religious expression of the different clan and tribal groups.

Therefore when the Israelite tribes which settled in the agricultural sections of the country, in northern and central Palestine, had gained control of the land, and, as a logical consequence thereof, had come in time to regard Yahweh, their old, desert deity, as its conqueror and owner, they likewise came naturally to look upon Him in a new light. Now, as the god of Palestine, its lord and bestower of its manifold blessings, they regarded Him more and more as an agricultural deity, whose main function was to bring forth from His land agricultural abundance for all its inhabitants, new and old. Accordingly, when they had installed Him as supreme god of the land in all the local sanctuaries of Palestine, which they had taken over, together with their cults, from their Canaanite predecessors, what more natural than that they should associate all the festivals of the agricultural, pentecontad calendar with His worship, make them basic elements of His cult and represent them as celebrated primarily in His honor?

However, with the beginning of the evolution of the Israelite nation under Saul and its culmination under David, and with the growing development of commercial relations with the Phoenicians and the attendant expansion of international relations under both David and Solomon for the first time in all of Israelite history, the inadequacy of the pentecontad calendar began to be felt in Israel, at first, no doubt, subconsciously, but within a relatively short time with steadily increasing awareness and a growing desire, and even need, for a calendar which would meet the evolving national and international situation more effectively. This process seems to have unfolded slowly during the long

reign of David and to have reached its climax and moment of decisive action early in the reign of Solomon.

As I have shown elsewhere,<sup>250</sup> the Temple of Solomon in Jerusalem was built after the pattern of Phoenician temples, by Phoenician workmen, supervised by Phoenician architects, and out of material largely imported from Phoenicia. It was so oriented that it faced due east, towards that point of the horizon at which the sun rose on the days of the two equinoxes.<sup>251</sup> On these two days the eastern gate of the Temple, kept fast closed during the remainder of the year, was opened, so that the first rays of the rising sun might shine through this portal and down the long axis of the Temple building proper into the *d'bir*, the recess at the far western end. This shining of the first rays of the rising sun on these two equinoctial days was, or at least came in time to be, known as the "coming of the radiance of Yahweh." It was the most solemn and momentous religious ceremony of the entire festal calendar of the new Temple. Upon it the fortune of the nation for the new year was thought to depend. Its incidence upon the day of the fall equinox now marked the new moment of the beginning of the year, the new New Year's Day.

From all this evidence, and particularly from that of its precise orientation towards the point of sunrise on the two equinoctial days and of the role of the first rays of the rising sun on these two days, it is readily apparent, that the Temple at Jerusalem was erected by Solomon as a center of solar worship. Yahweh, Israel's national deity, was now identified with 'El, the supreme solar deity of the Semitic, and particularly of the Phoenician, pantheon, and His cult was reorganized as a solar cult, and, in accordance with the will of the great and powerful monarch, and in conformity with his far-reaching program of commercial expansion and international relations, this became the official religion of the land and nation. As an integral part of this program the luni-solar calendar now formally supplanted the pentacontad calendar in Israel.<sup>252</sup>

<sup>250</sup> "Amos Studies," III, 104 f.

<sup>251</sup> "The Gates of Righteousness," 16 ff.

<sup>252</sup> See Additional Note A.

In the practice of Semitic religion based upon the solar year four moments are, of course, critical and decisive, viz. the days of the two equinoxes and the two solstices. This condition, it is apparent, differs radically from the basic circumstances of the pentecontad calendar. The equinoxes and solstices divide the solar year into four almost equal quarters, each marked off from the other by a festival, and each festival, theoretically at least, of major importance. This system contrasts strikingly with the seven divisions of the pentecontad year, with its seven major festivals and with its two *šapattum* periods.

But a calendar, just as any other cultural institution, which has been employed by a people for several centuries, can never be supplanted instantaneously by another calendar, nor can the attendant system of festivals and religious practices be completely replaced by a new system of festivals and integrated ceremonies in a moment, even at the bidding of a monarch as absolute and self-willed as Solomon seems to have been. At first bitter resistance on the part of the conservatives and reactionaries in the nation always manifests itself. But invariably the struggle between the two programs is eventually resolved by a compromise, an attempt at harmonization and integration of the two calendars and religious systems, identification and fusion of their major festivals, and the relegation of other secondary festivals to comparatively minor roles.

It is perfectly comprehensible from all this that, as I have shown elsewhere,<sup>253</sup> the Temple at Jerusalem was, in the first stage of its history, anything but a popular institution. Its erection and dedication inaugurated a new calendar, a new solar concept of Yahweh, the national deity, and a new system of solar festivals and cult practices altogether at variance with what had obtained in Israel generally up to this decisive moment. Small wonder therefore that Solomon's program and the attendant innovations met with deep popular opposition. Solomon himself was a monarch able and powerful enough to control all opposition and to carry through his purpose regardless of popular opinion. But this opposition, deep-rooted and

<sup>253</sup> "Amos Studies," III, 104 f.

implacable, smoldered during his long reign and the reigns of his two immediate successors, only to burst forth into bold and decisive action in the fifteenth year of the reign of Solomon's grandson, Asa.

In this year, 899 B.C., a reformation, inaugurated under prophetic leadership, with a certain Azariah ben Oded as its mouthpiece, and ardently supported by the youthful king, was carried through successfully.<sup>254</sup> This reformation was directed in principle against the institutions of the new, solar religion which Solomon had introduced, and which, as we have seen, centered in the Temple. The golden image of Yahweh, enthroned in the *d'bir* of the Temple, was removed and destroyed. In its stead the old ark of Ephraim, an important cult-object from desert days, and apparently formerly the most important cult-object in the national sanctuary, which was itself patterned after the ancient, desert, tent shrine, which David had set up in Jerusalem a century or so earlier, was installed in the *d'bir* as the true and proper symbol of Yahweh and as a permanent monument to His desert origin and character.<sup>255</sup> With this, no doubt, the entire ceremony of the opening of the eastern gate of the Temple upon the two equinoctial days and the coming of the first rays of the rising sun into the body of the Temple was suspended, or at least restricted in some way, and the new solar cult, at least in its most objectionable, major features, was discontinued, though certainly not entirely abolished. But the Temple itself was not destroyed, and its cult was only modified severely, but was not abrogated completely.

As I have endeavored to establish elsewhere,<sup>256</sup> the little code of *d'barim*, or ritual laws, in Ex. 34.14-26, in its original form, which I have entitled the Kenite Code, recorded the program or platform of this reformation. With a clear knowledge of its historical setting and the specific goals of this earliest reformation in the history of religion, the entire movement becomes

<sup>254</sup> "The Oldest Document of the Hexateuch," 102-119.

<sup>255</sup> *The Ark, the Ephod and the "Tent of Meeting,"* 107 ff.

<sup>256</sup> "The Oldest Document of the Hexateuch," 98-119; "Amos Studies," III, 112-122.

more comprehensible. We can understand, now, in the light of its opposition to the solar cult entrenched in the Jerusalem Temple, why the very first *dabar* forbids the worship, not of other gods, using the plural, as does its younger and dependent parallel in the Book of the Covenant, in Ex. 20.23, but of any other god, using the singular; for this prohibition is directed specifically against the cult of the sun-god, or of Yahweh conceived as a sun-god, in the Temple. We understand likewise the prohibition set forth in the second *dabar*, in Ex. 34.17, "Gods of molten metal shalt thou not make"; for obviously this was directed specifically against the image of the enthroned Yahweh in the *d'bir* of the Temple, the *miflešet* which Maakah, the mother of King Asa, had made during the period of her regency and had set up in the Temple, and which was destroyed by Asa as apparently the crowning act of this reform movement.<sup>257</sup>

Moreover, since the *dabar* in Ex. 34.25b, commanding that the Paschal sacrifice be not permitted to remain over until dawn, certainly did not inaugurate a new sacrificial procedure, but merely sanctioned, or even commanded, an ancient practice, the beginnings of which went back to the period of Israel's sojourn in the desert borderland as a semi-nomadic people, it seems that this *dabar* sought to revive a ritual procedure of great antiquity and importance which the new, solar cult had been gradually forcing into desuetude. This same condition may be true of other ancient religious practices which are specifically commanded in this little code of ritual laws.

Certainly this is the case with the legislation for the three annual festivals, and perhaps also for the Sabbath, recorded in Ex. 34.18-22; for, as the Lewys have established convincingly, these are all basic institutions of the pentecontad calendar, particularly as it was developed in Palestine. The Matzot Festival, as was stated previously, was celebrated during the seven days *šapattum* period which preceded immediately the "fifty" of the grain harvest, the seven days at the end of the pentecontad year, which were followed directly by "the day of putting the sickle to the standing grain," the New Year's Day. During this seven

<sup>257</sup> 1 Ki. 15.13; 2 Chron. 15. 16; cf. "Amos Studies," III, 108 f., 112.



days festal period the remains of the old crop were eaten sacramentally in the form of matzot or unleavened cakes, and what could not be eaten in this manner was burned at the end of the festival; for it was an established principle that nothing of the old crop might remain over when the harvesting of the new crop was begun. The divine child of the old year, the crop of that year, the offspring of the union of father-god and mother-goddess, the Tammuz who was born, or reborn, in the spring of that year, at the very beginning of the year, must have died and been completely put out of the way, before his successor, the new Tammuz, the crop of the new year, could be born, or be reborn.<sup>258</sup>

Apparently in the early pre-Solomonic or pre-Davidic period the custom had been firmly established of destroying all that was left uneaten of the old crop of grain, and, quite probably, of all agricultural products of the old year, before the harvesting of the new crops might be begun and the fruits thereof be eaten. But if so, then certainly in the Davidic and Solomonic period, with its rapid development of commerce and international relations, particularly with the Phoenicians, this ancient custom, deeply rooted in early, fundamental religious concepts and principles, must have been outgrown and abrogated very largely in practice and completely in principle; for the grain of Palestine constituted its chief article of export, and only with the surplus grain, remaining after the food needs of the native population had been satisfied, could barter be carried on extensively and systematically.

As I have pointed out elsewhere,<sup>259</sup> during the long reigns of David and Solomon, after the neighboring little nations had been conquered and incorporated into the Israelite empire and a treaty of friendship and commercial cooperation had been established between the two successive Israelite monarchs and Hiram of Tyre, a long, unbroken period of peace and economic development was inaugurated in Israel. Now the Israelite peasant was free to till his soil without fear of external enemies and the consequent necessity of devoting a not inconsiderable por-

<sup>258</sup> "The Origin of Maṣṣoth and the Maṣṣoth-Festival."

<sup>259</sup> "Amos Studies," III, 61 ff.

tion of his time and substance to warlike preparation and activity. In consequence crops were now sowed and garnered in unprecedented abundance. But, on the one hand, there could be no motive whatever for sowing and harvesting crops in amount larger than was actually needed for simple home consumption, with all the heavy and exacting labor which this entailed, and, on the other hand, there could be no surplus crops to barter with the Phoenician merchants, if what was left over of the crops each year, what was actually not needed for home use, had to be burned. The commercial program of the two great kings could develop only if the ancient custom was abrogated, as has been said, in principle completely and in practice very largely. That these two self-willed monarchs, possessing absolute powers, were able to carry through their economic program, to the immeasurable material and cultural benefit of the nation, is beyond question. The success of their political and economic program is amply attested in the biblical record. But from all this it follows that, as a result of this royal policy and program, many of the primary institutions and ceremonies of the Matzot festival must during the reigns of David and Solomon have steadily been discarded, and the entire festival must have tended to fall into desuetude.

And perhaps of even greater influence in this process was the fact that under the new solar calendar, inaugurated by Solomon, and the new solar cult which, centering in the Temple, the royal sanctuary in the nation's capital, had now become the official religion of the land, the day of the spring equinox became necessarily one of the two major festal days in the entire year. As a rule this equinoctial day fell in such close proximity to the Matzot Festival, just preceding the beginning of the grain harvest season, that the celebration of the latter was necessarily interfered with; for naturally two festivals, each of major significance in its respective religious system, could not be celebrated by one and the same people in such close, and often even immediate, proximity to each other. One had to give way in favor of the other; and, of course, in this case it was the Matzot Festival which had to succumb. More and more, beyond all question, the ancient Matzot Festival sank in prestige and

degree of observance and was relegated to a position of inferiority in comparison with the new solar festival of the spring equinox. Had this condition obtained too long, the Matzot Festival would undoubtedly have eventually vanished completely from Israelite religious practice.

Similar conditions must have influenced the celebration of the Festival of Firstfruits at the end of the "fifty" of the grain harvest, on the fiftieth day after "the putting of the sickle to the standing grain." The very fact that it was dependent in the determination of its date upon the Matzot Festival, upon the counting of fifty days beginning with the day following the close of that festival, must have brought it about that, with the decline of the Matzot Festival in the extent of its observance and in the degree of its importance, the Festival of Firstfruits likewise declined correspondingly in both respects. This circumstance must have been furthered considerably by the additional fact that this latter festival could have no direct association with any important moment in the solar year, and therefore could have had little or no immediate connection with the cult of the Temple at Jerusalem and no fixed and formal place in what was now the official state religion of Israel.

These same considerations and circumstances must have affected in similar manner and in equal measure all the festivals which marked the end of each of the seven "fifties," and not least of all, the Asif Festival, the Festival of Ingathering, which came apparently at the end of the fourth and before the beginning of the fifth "fifty." Here the second *šapattum* of the year, that of eight days, seems to have been inserted into the pentecontad calendar in the normal practice of ancient Israel. Now, if the beginning of the first "fifty" of the pentecontad calendar, that of the grain harvest, came in fairly close proximity to the day of the spring equinox, the end of the fourth "fifty" two hundred days later, and with this the Asif Festival, as it must have been celebrated originally, would normally come approximately two weeks after the fall equinox. The result of the celebration of the day of the fall equinox as the most sacred day of the entire solar calendar year, the New Year's Day, as it certainly was celebrated in Solomon's own time, some two weeks

on the average before the time when the Asif Festival would normally be celebrated under the conditions of the pentecontad calendar, must have brought it about that the Asif Festival, too, precisely like the Matzot Festival near the time of the spring equinox, was, completely overshadowed and so tended to sink into a position of minor importance and eventual desuetude.

Through the development of the national consciousness and national organization, of international politics and of international commercial relations the inadequacy of the pentecontad calendar must have been felt more and more compellingly with each passing year of Solomon's long and prosperous reign. More and more the new solar calendar, with its roots in the new Temple at Jerusalem and in its solar cult, threatened to supplant the old, pentecontad calendar completely. No doubt the great mass of the people, and particularly that very large section, the court party, the developing merchant class and the urban population, all of whom were naturally the direct beneficiaries of the new order of things, were content with the introduction of the solar calendar and the Temple cult, and looked, with equanimity at least, upon the relegation to an inferior position, and with its promise of eventually complete disappearance, of the pentecontad calendar and its attendant religious institutions and ceremonies. The standard of living must have risen considerably by the end of Solomon's reign and the culture of the nation must have made a distinct advance. These classes, who now quite naturally regarded themselves as the upper, privileged stratum of the new and rapidly evolving social organization, could not but feel satisfaction, and even pride, in these social and economic changes and have regarded their former and, as they imagined, now completely outgrown, way of living, with its pentecontad calendar and its rustic religious festivals and attendant rites, with a certain measure of contempt. In their eyes these pre-Davidic and pre-Solomonic days had become, altogether naturally, their "Age of Ignorance," their childhood period as a nation, when the present national glory and Israel's unchallengeable dominance among the little nations of Western Asia were as yet not even dreamed of. Certainly this new age, with all its innovations and complete change of manner of living and

of worshipping the national god, and, not least of all by any means, with its new calendar and new solar cycle of festivals and attendant ceremonies, seemed to these privileged classes within the nation proper and good.

But to another, and a by no means inconsiderable, section of the people the matter did not present itself in this light at all. A certain portion of any nation is always conservatively minded and inclined to abide by the old way of life and its venerable institutions and to retain these so long as possible. Only slowly and reluctantly does it yield to change, even when this change means progress and a superior standard of living. And certainly not for the totality of the Israelite nation did this new order mean a superior standard of living or an improvement in social and economic position. Gradually a submerged class manifested itself, those who for one reason or another found their sources of maintenance of themselves and their families inadequate under the new order, and who were therefore compelled to sell either themselves or members of their families into slavery to their more economically successful brethren.<sup>260</sup> To them the new order must have seemed the basic cause of their present, disadvantaged position and they must have regarded it with sentiments the very antithesis of favorable.

Likewise the small farmer, whose annual harvest sufficed under any condition only for a relatively meager subsistence for himself and his dependents, and who therefore at the end of the year had practically no surplus products to dispose of, saw himself and his family benefited in no wise by the new economic and social order. He even found himself disadvantaged to a certain extent, for, with the steadily rising standard of living, existence was daily becoming for him and his family more complex, precarious and difficult, and the sad fate, slavery, which had already befallen some, and perhaps even many, of his former friends and associates, was now beckoning to him and his family more and more insistently. He could not but look upon this new order with strong disapproval and a steadily increasing fear.

And still one other class of the nation benefited but very

<sup>260</sup> *Ibid.*, 67 ff.

little, if at all, from the new social and economic order, the shepherds of Judea, of the rugged, half-sterile country south of Jerusalem, the capital. To the Phoenician, and even to the Israelite, merchants, these shepherds in the far South, wandering widely with their flocks through certain periods of the year, were relatively inaccessible. Moreover, at the year's end they had little surplus of their labors to dispose of, a little wool perhaps and a few milk products, cheese and the like, but no more, hardly enough to justify commercial dealings with them. Moreover, in their pastoral way of life there was little opportunity for change in manner or in standard of living. Sheep can be bred and pastured in only one way; and it is always a hard and exacting way. The shepherd is therefore by nature and by training always a hardy, stubborn individual, decidedly conservative in his views, who invariably views social and economic change and alteration of standards, whether up or down, with suspicion and innate antagonism. And the new, Solomonic social and economic order must have been regarded by these shepherds of the South with particular distrust and opposition, for it was bringing about a new social organization, with three social classes, the wealthy court, military and merchant group, the steadily declining middle class, consisting chiefly of the old peasants, and the equally steadily growing class of the submerged and enslaved. This three-class organization of society was different in every way from the one-class social organization, rooted in desert existence, which had characterized Israelite life in the entire pre-monarchic period, and which still persisted among this shepherd group. The early, one-class social organization of the nation, they believed firmly, had been instituted by Yahweh, Israel's national god, Himself a deity of desert, pastoral origin, and it alone was pleasing to Him. They themselves rejoiced to adhere firmly to this way of life which He had instituted and commanded for His people. Any other way of life, and particularly one which seemed linked so closely and integrally with the new sanctuary, the Temple at Jerusalem, and the new solar cult and calendar rooted therein, was displeasing to Yahweh, their god, and so must be resisted by them uncompromisingly.<sup>261</sup>

<sup>261</sup> *Ibid.*, III.



It is clear that the opposition to the new cult, the new calendar, the new concept of Yahweh as a solar deity, and the representation of Him by a golden image in the Temple, from which the rays of the rising sun upon the two equinoctial days were reflected, and to the entire new religious, economic and social order, must have centered in the far South. There the majority of such farmers as there were must have been of the small farm type, for there the relative poverty of the soil hardly permitted the maintenance of large farms and estates, as was the case in the more fertile North. And there, too, in the far South, the shepherd clans were located, and among them notably the Kenites, or their descendants, the Rekabites.

For a time this opposition to the new order must have been latent. It required years and expanding experience for the true nature and import of the new order to become fully apparent, especially to these small farmers and shepherds living somewhat upon the periphery of the national life. It required time also for this opposition to crystallize, to become concrete and to develop a program of action under effective leadership. It needed likewise a favorable circumstance and moment for the movement to become vocal and active. All this evolved slowly but surely through a period of approximately three quarters of a century.

The necessary leadership manifested itself among the professional prophets of the day. Actually these so-called prophets were primarily professional diviners. Their chief function was, through an intimate association which, so they firmly believed, they enjoyed with some divine power, a spirit, a numen or a deity, as the case might be, to foretell the future, to locate lost articles, and to perform other, similar services of superhuman character, which the ordinary man could not perform for himself. As the concept of Yahweh as the one, national deity developed under the kingdom, and this, so it seems, very quickly, and regard for and consultation of all other deities and divine powers was in consequence prohibited by royal action on the part of Saul,<sup>262</sup> all legitimate divination in Israel came to be performed only in the name and through the divine support of Yahweh. Divina-

<sup>262</sup> 1 Sam. 28.6-25.

tion in the name and with the aid of other deities or numina, even the spirits of the dead, was regarded as disloyalty to Yahweh, was strictly forbidden by royal decree and was punishable even by death. Those diviners who functioned in the name of Yahweh were now, of course, the only legitimate diviners left in the land. They enjoyed royal approval and, as a matter of course, held a privileged position. Naturally they felt themselves to be the ardent and loyal devotees of Yahweh and the eager champions of everything, and particularly of the way of life and worship, which, they believed, He had instituted and which alone was pleasing to Him. Correspondingly they felt themselves the chosen and uncompromising opponents of everything which seemed in any way a departure from or repudiation of the way of life which Yahweh had instituted for His people. They were the authoritative spokesmen of Yahweh and interpreters of His will unto His nation. Therefore now, when the old way of life, the old, simple, religious, social and economic order, was threatened, as it certainly was at this moment, they felt deep within their souls that they must irresistibly, through destiny, as it were, step into the breach and uphold the old order and repudiate and oppose the new.

This same situation had developed once before in Israel's history in a single but most illuminating and foreshadowing instance.<sup>263</sup> Nathan's true office and function at David's court were those of the royal diviner, who forecast the fortunes of the great king and the impending events of his reign, and thus enabled him to prepare far in advance for all contingencies. It was an office of high authority and privilege. Also it carried with it loyalties and obligations which transcended even those to the king. Nathan could function as diviner only because of the abnormal gift with which, he must have believed, Yahweh had endowed him, the superhuman, semi-divine power of foreseeing and foretelling, which he possessed because of his close, personal relationship with Israel's national god, with whom he stood *en rapport*. And when he beheld the king do a thing hitherto unheard of in Israel, viz. through the absolute, despotic power of the king-

<sup>263</sup> 2 Sam. 12.1-13.

ship send a faithful subject to his death and then take the latter's wife into his harem in order to conceal their common sin from general knowledge, he was filled with righteous and impelling indignation. He felt himself called irresistibly to decisive action, and this, too, not as a mere, ordinary citizen, properly resentful of an act of grave injustice and oppression done to a fellow-citizen, but, far more, as the zealous champion of Yahweh, as the spokesman of his god, denouncing in Yahweh's name even the mighty king to his very face for this flagrant and vicious departure from the way of justice and democracy, and for this extreme manifestation of despotic power, so radically different in every way from the old order and the old way of life which Yahweh had commanded. Fortunately David was still sufficiently imbued with the pastoral, democratic spirit of his childhood to accept the rebuke and to acknowledge his fault. He, too, must have understood that Nathan, the diviner, was speaking in behalf of Yahweh, that it was the Deity Himself who was uttering His will and disciplining the king, who, despite all his might, was himself still the subject and the servant of the national god.

But three quarters of a century later the situation had changed completely. Neither Solomon nor his descendants had the pastoral background and traditions which David had known and cherished. Solomon in particular seems to have been the pattern of the absolute despot whose will is the supreme law of his country, to which his people must submit unresistingly. He had himself introduced the new order, from which his nation had profited materially to such high degree. He had erected the new sanctuary, inaugurated the new, solar concept of Yahweh and the attendant cult, instituted the new calendar and the new order of festivals. All this was by his will; and his will was, beyond all challenge, the will of Israel's god. He alone, and no longer the professional diviners, was the supreme and final representative of Israel's national god and spokesman of His will. Let the people therefore not question but only obey. The new order was the will of the king and of his god as well; it was the law of the land. What had been in the time of David and Nathan an isolated departure from the old order, the true implication of which had apparently not been comprehended clearly by the king

until the challenge of Nathan had suddenly opened his eyes, had now become the conscious and systematic policy of the royal house. This policy was strengthened by the conviction that this new order was the will of the Deity, as they conceived Him, that it was also redounding to the material advantage of the people and to the strength and glory of the nation, and that, furthermore, the culture associated with the new order was definitely an advance over the ancient culture, now completely outgrown.

The issue, which had been personal and unique in David's day, had now become national, permanent and deeply rooted. And where the prophetic action of Nathan, the diviner, had been momentary and isolated, where only in this single instance and for but a brief, fleeting moment he had risen above the level of the court diviner to the immensely higher level of a true prophet, the loyal, unquestioning, dauntless champion of the old, desert, pastoral way of life, social organization and religion in opposition to the new way, the new organization and the new religion, now the professional diviners, attached in no manner to the court and associated in no manner with the king,<sup>264</sup> possessing no longer, in all likelihood, under the new, solar concept of Yahweh and of His close, inseparable identification with the royal sanctuary, the new Temple at Jerusalem, any authority and even any honor or respect on the part of the court party, looked upon more or less as the futile functionaries and pointless spokesmen of a Yahweh who had been outgrown and no longer existed, or who at least exerted little or no authority, treated therefore more or less with disdain and even with no little meas-

<sup>264</sup> It is altogether probable that in the Temple, with its solar cult, an entirely new system of divination on behalf of the king and the nation, viz. consultation of the oracle through the Temple priests, was developed as the official, royally approved procedure. The beginning of this divinatory practice seems to have been made already under Saul (1 Sam. 14.18-45) and under David (1 Sam. 22.10; 23.6-12; 30.7-8). As the inevitable result of this development the office of the professional prophet lost authority and even fell somewhat into disrepute, so that the former נביא tended to become, at least in the eyes of the culturally more advanced, upper stratum of society, more and more a disregarded social outcast, an irresponsible and, in popular fancy, an insane, person, משגע (cf. 2 Ki. 9.11; Jer. 29.26; Hos. 9.7).

ure of contempt, these professional diviners, whose very office and prestige derived from the old order, found themselves called, as never before in all of Israel's history, to forceful and decisive action as champions of the old, pastoral Yahweh and of His democratic way of life and of the old religious and cultural institutions which He had ordained for His people.

In this moment of crisis, when its whole future as a nation and as a religious community was hanging in the balance, a new movement was born in Israel, prophecy. The former diviners, who functioned through their close association with, and in the name of, Yahweh, Israel's national god, now that His very existence and will and way of life were distinctly threatened, became His prophets, the loyal, daring, uncompromising champions of the old, pastoral Yahweh, as contrasted with the new, solar deity, who was, so they believed, Yahweh in name only. They became champions likewise of the old, democratic way of life, whose roots were in the desert, and of the ancient, simple, half pastoral and half agricultural cult, with all its institutions, its calendar and its festivals. To them the Temple at Jerusalem, the solar cult which was rooted therein, the new calendar and the new solar festivals symbolized the changed order of things and so were doubly abhorrent. These false institutions had to be uprooted, if Israel was to be held in right and loyal relations with its true god and was to fulfill its destiny as His people.

Certainly these prophets could not have comprehended or envisaged the true nature or the full course or the far-reaching implications and eventual developments of the long and bitter struggle which they were now inaugurating. They could see before them only the actual circumstances and the compelling duty of the moment, the battle which was immediately impending. They could not realize that they were launching a movement which was to continue actively for six centuries and more, that they were precipitating a struggle which was to be fought bitterly, with fortunes vacillating back and forth and the issue constantly in doubt, between the old concept of Yahweh and the new, between the old order of things and the old way of life and the new order and the new way, between democracy and absolute monarchic power, between social justice and social

oppression, between spiritual integrity and progress and mere material expansion and cultural evolution. Little of all this, despite their primary role as diviners, could they foresee at this beginning of the prophetic movement in the tenth century B. C. Still less could they comprehend that they were struggling to keep the little people of Israel from going the way of all other Semitic peoples and nations, which emerged in course of time from the desert pastoral stage of civilization, to develop as absolute monarchies and run each a brief course of power, wealth and prestige among the nations of the earth, only in due time to go on to destruction and oblivion, leaving but a name, a memory and a limited heritage unto the future.

The pattern of the entire prophetic movement was constant and unchanging. It was fixed in the very first stages of the movement. No matter how circumstances altered, the prophetic movement remained a stable, uncompromising, consecrated endeavor to hold Israel fast to the old, pastoral concept of Yahweh, to the old, democratic way of life and one-class society, with its virtues of liberty and freedom, justice, truth, brotherhood and cooperativeness, to the old religion and its simple manner of worship, and to the old calendar, the old festivals and attendant institutions. In principle and in program the prophetic movement remained ever the same, regardless of how conditions changed, culture progressed and god-concept evolved. It was steadfastly an endeavor to rid the life and religion of Israel of all solar elements, as they manifested themselves in religious principle and practice and in the political, social, economic and cultural organization and way of life and aspiration of the nation, and to hold it firm to the old order and to the god who had instituted that order for his people in its childhood period, its pre-Palestine, desert existence.

This program is clearly illustrated in this very first systematic self-expression of the prophetic movement, the reformation in the Southern Kingdom in the reign of Asa in 899 B. C. I have shown<sup>265</sup> that this reformation was directed specifically against the solar cult in the Temple at Jerusalem, inaugurated by

<sup>265</sup> "Amos Studies III," 100-134.



Solomon and apparently later reenforced by Maakah, the queen mother, functioning as regent in behalf of her young son, Asa. This reformation was sponsored by the Kenites, or by the Kenite clan, the Rekabites. As has been said, the platform of this reformation is set forth in the little code of ten laws embedded in Ex. 34.14-26.<sup>266</sup>

It is apparent almost at a glance that the legislation of the K Code inaugurates absolutely no new religious principles or institutions. Rather, it seeks to reaffirm and enforce certain old and basic principles and institutions, which had long been current in the religious practice of the people.<sup>266a</sup> And the very fact that this is obviously the goal of this legislation suggests strongly that these ancient and venerable principles and institutions were now in grave danger of being discarded and forgotten, unques-

<sup>266</sup> See Additional Note B.

<sup>266a</sup> The principle or doctrine, expressed decisively in the very first *dabar*, and therefore fundamental to this covenant code, that all of Israel's homage and worship must be rendered to Yahweh, and to Him alone, was, of course, inherent in the very concept of the covenant between Yahweh and Israel, and must therefore have had its initial affirmation when this covenant was solemnized, under the leadership of Moses, shortly after the exodus from Egypt. Originally it could have been a covenant only between Yahweh and the clan or tribe or small group of clans or tribes which Moses brought out of Egypt. But certainly in the days of David, himself a member of one of the clans of Judah (משפחת יהודה; cf. "Beena Marriage [Matriarchat] in Ancient Israel and Its Historical Implications," 91-110), which, had, directly or indirectly, become very early a party to this covenant, the covenant idea had been nationalized, had been extended to include or cover all the tribes which had been united by David to constitute the nation, Israel, but which originally had had no part whatever in this covenant.

The prohibition of making and using images to represent Yahweh in the worship of Him by Israel, which is expressed so absolutely in the second *dabar*, likewise had its origin with Moses and his iconoclastic program (cf. "The Ark, the Ephod and the 'Tent of Meeting'," *HUCA*, XVIII [1944], 17-47.).

From this it follows that this first prophetic reformation in Israel was, in principle, a reaffirmation for the entire nation of those fundamentals of the religion of Yahweh which had been first formulated and enunciated by Moses. Obviously then, this reformation and the religious principles basic to it were native to the South and reflected primarily the Judaeen point of view, which emanated directly from Moses, the Levite.

tionably because they were being superseded by a new cult or system of religious worship. Undoubtedly this K Code was an active defense of an old religious order, which was being seriously threatened by a new and radically different order. With the historical setting which we have recovered for this Code, we can determine precisely what both the old and the new orders were. It was the struggle between the old, agricultural religion, of which the pentecontad calendar, with its system of festivals, dependent chiefly upon the state of and procedure with the crops, was the concrete expression, and the new, solar concept of Yahweh and of His worship as a solar deity, rooted in the Jerusalem Temple, the tangible expression of which was a new, solar calendar<sup>267</sup> and a system of annual festivals based upon the equinoxes and solstices.

We can accordingly easily comprehend the full import of the legislation of the K Code commanding the observance of the three festivals, Matzot, Katsir and Asif, of the two *šapattum* periods in the year, at plowing time and at harvest, and of the weekly Sabbath, all integral elements of the pentecontad calendar. We can appreciate, too, the equally grave significance of the fact that in this Code no solar festival of any kind is legislated for or even referred to by the slightest hint. We can understand equally readily the full import of the remaining legislation for the old, simple sacrificial system, largely pastoral in character and origin, which must have contrasted strikingly with the much more elaborate and ritually organized sacrificial system of the Temple, with its variety and multiplicity of sacrifices.

Thus the prophetic movement as an organized force with a clearly formulated program came into being in Israel in this

<sup>267</sup> The calendar which, at that time (1924) unaware of the pentecontad calendar, I mistakenly regarded as the oldest calendar in Israelite usage, and so designated as Calendar I (cf. "The Three Calendars of Ancient Israel"). This Calendar I, all the month-names of which, which are recorded in the Bible, with the single exception of *Ha'abib*, viz. *Ziv*, *Bul* and *'Etanim*, are found also in North Semitic literature (*ibid.*, 16; the use of *Ha'abib* as a month-name may have been current only in Palestine), was undoubtedly borrowed by Solomon from his Phoenician neighbors and largely with the obvious purpose of thereby facilitating commercial transactions with the Phoenicians.

fifteenth year of King Asa. In principle, as has been intimated, it was the direct outgrowth of the religious teachings and institutions inaugurated by Moses. And, as has also been said, it adhered ever thereafter constantly and loyally to its initial program. Within this program the enforcement of the old, pentecontad calendar and its system of festivals played steadily, as we shall see, an important and unvarying part.

This is clearly manifest also in the next recorded religious reformation, that of 841 B. C., in the Northern Kingdom, of which Elisha was the leader, and of which the *d'barim* of the C Code, patterned closely after those of K, was the platform.<sup>268</sup> That reformation came at the close of the period of almost a half-century, during which the dynasty of Omri had sat upon the throne of Israel, the Northern Kingdom, and had guided its destinies with singular ability in the directions of commercial prosperity, political ascendancy, cultural progress and religious syncretism. Cooperative friendship and enterprise had been cemented with Judah, the Southern Kingdom, through the marriage of Athaliah, Ahab's and Jezebel's daughter, with Joram, the son of Jehosaphat, and a joint political and commercial program had been developed between the two nations, which involved also close political, commercial and cultural alliance with Phoenicia.

Early in this period Omri, the astute statesman, in order to strengthen and stabilize this all-important Phoenician alliance, had united his house with the royal house of Tyre by the marriage of his son, Ahab, with Jezebel, the daughter of Ittobaal, the Phoenician king. Jezebel sought, with abundant success, to raise the cultural level of Israel and to introduce into the land the cult of her own Phoenician deities. As has been said, it was a period of intense religious syncretism, of the spread of the cult of the Phoenician solar deities, not only throughout Israel, but also, inevitably, into Judah as well. This entire development was resisted sturdily by the loyal prophets of Yahweh under the recognized leadership, or, perhaps more precisely, since he was himself not a professional prophet, and therefore

<sup>268</sup> "The Oldest Document of the Hexateuch," 54-98.

not a member of any prophetic band or brotherhood, in the great spirit, of Elijah. But in concrete results their opposition seems to have accomplished almost nothing during the long reign of the extremely able and powerful monarch, Ahab, and the even longer period of the dominance of Jezebel.<sup>269</sup>

But during the twelve years following the death of Ahab, in 853 B. C., and the years following the death of Jehosaphat, soon thereafter, the political ascendancy of Israel was terminated and the economic prosperity of both Israel and Judah declined rapidly. Assyria, under its energetic king, Shalmaneser III, once again came to the fore and imposed its dominion upon all of Western Asia. Both Israel and Judah, but especially Israel, were quickly reduced to the rank of second — or even third-rate national powers. The strength and authority of the royal family, the court party and the military caste of Israel retrograded steadily. Finally, in 841 B. C., through a military coup, supported by the prophetic movement under the leadership of Elisha, the disciple and successor of Elijah and the heir of his Southern, Kenite point of view, the dynasty of Omri was overthrown in the Northern Kingdom and Jehu came to the throne and became the founder of a new dynasty, which reigned over Israel for approximately a full century.

Six years later, as the result of a revolution, fomented and guided by the priests of the Jerusalem Temple, Athaliah, the daughter of Ahab, who had seized the throne of the Southern Kingdom after the death of her son, Ahaziah, at the hands of Jehu, was removed from office and was executed, and the legitimate heir, Joash, a direct descendant of David, was set upon the throne. A religious reformation was inaugurated in the Southern Kingdom under this same priestly leadership, and the Temple in Jerusalem was purged of many objectionable cult institutions and practices which had been introduced therein by Athaliah, following the pattern of, and no doubt even influenced by, her mother, Jezebel, the Phoenician princess. Of this reformation we shall have more to say later.

<sup>269</sup> For all the details of this historical process and their implications cf. "Amos Studies," III, 225-240.

The political coup which put Jehu upon the throne of the Northern Kingdom in 841 B. C., which had been successfully engineered by the loyal professional prophets<sup>270</sup> under Elisha, was attended promptly by a far-reaching religious reformation, the program of which is recorded in the *dēbarim* of the C Code.<sup>271</sup> These *dēbarim* were patterned closely upon those of the older K Code, yet with certain minor deviations, which evidence a practical accomodation of the older laws to the conditions of the Northern Kingdom, both agricultural and economic. Again there is no mention whatever of solar festivals and ritual practices. The elaborate sanctuaries of the solar cult, with their altars of hewn stone, are definitely repudiated and a simple altar of earth is commanded. Images of silver and gold, of which there must have been a relative abundance in the prosperous days of Ahab, are specifically forbidden. The three ancient agricultural festivals of the pentecontad calendar, Matzot, Katsir and Asif, are once more commanded, and also the Sabbath, and likewise, with, however, a few modifications of minor character, the ancient, simple sacrificial procedure, of pastoral origin.

The old institution of the two *šapattum* periods, one just preceding the beginning of the "fifty" of the grain harvest in the early spring, and the other between the fourth and fifth "fifties," at the end of the grape-gathering and just before the beginning of the plowing and sowing, is omitted completely, or at least is not mentioned in the Code, although it undoubtedly persisted as a folk-practice in certain districts or circles. The reason for this omission from the official calendar it is impossible to determine with certainty.<sup>271a</sup> But in its stead another institu-

<sup>270</sup> That many of the professional prophets in the Northern Kingdom were in that age disloyal to the true cause of Yahweh and succumbed either to fear of royal displeasure or to the temptation to win royal favor, is amply illustrated by the story of Micaiah ben Yimlah (1 Ki. 22.2-28; 2 Chron. 18.4-27; cf. "Amos Studies," III, 194-197).

<sup>271</sup> Ex. 20.23-26; 23.12-19; cf. "The Oldest Document of the Hexateuch," 91-98; "Amos Studies," III, 224-240.

<sup>271a</sup> It is not impossible, and even seems quite probable, that it was the necessity, or at least the urgent desire, experienced by the prophetic authors

tion, also linked indubitably with the old pentecontad calendar, the *š<sup>e</sup>mīṭṭah* year, every seventh year,<sup>272</sup> in which the fields were to lie untilled, is commanded as one of the elements of this new covenant code.

Just as in the Southern Kingdom, fifty-eight years earlier, on the basis of the K Code, a solemn covenant had been concluded between the people and Yahweh, its national god, whereby the people obligated itself to worship Yahweh and Him alone in accordance with their old, traditional institutions and cult, based upon the pentecontad calendar and its festivals, so now in the Northern Kingdom under prophetic influence the people returned to what they regarded, or at least what was represented, as the pure and uncontaminated worship of Yahweh. The cults of the Phoenician deities, which Jezebel had introduced into the land, were uprooted by Jehu,<sup>273</sup> and, in the main, the old, pre-monarchic worship of Yahweh as god of the land, the bestower of the blessings of agricultural life within the land, was resumed sincerely and vigorously.

of the C Code to keep the number of *d<sup>e</sup>barim* in their covenant code at the now traditional number, ten, and not to exceed this number by even one, which compelled the omission of the provision for the observance of the two annual *šapattum* periods in order to make possible the inclusion of the provision for the *š<sup>e</sup>mīṭṭah* year. The authors of this code probably assumed tacitly that the observance of the two annual *šapattum* periods would continue under the other provisions of the Code, even without a specific *dabar* to enjoin it.

This hypothesis finds some measure of support in the consideration that a parallel problem seems to have confronted the authors of the K Code some fifty-eight years earlier. Faced likewise with the necessity, or at least the urge, to keep the number of *d<sup>e</sup>barim* in their code at precisely ten, they apparently chose to omit provision for the *š<sup>e</sup>mīṭṭah* year and to include provision for the two annual *šapattum* periods, assuming no doubt, and correctly that the observance of the *š<sup>e</sup>mīṭṭah* year would persist even without specific legislation for it. That they were correct in their assumption is proved by the legislation for the *š<sup>e</sup>mīṭṭah* year not only in the C code but also in the Holiness Code (Lev. 25.3 ff.; cf. "Supplementary Studies in the Calendars of Ancient Israel," 25-72).

<sup>272</sup> For the division of time into seven-year cycles in the pentecontad calendar cf. the Lewys, *op. cit.*, 96 f.

<sup>273</sup> 2 Ki. 10.18-28.



The biblical record states that Jehu did not abolish the golden calves in the sanctuaries at Bethel and Dan. This is altogether comprehensible. For in setting up, or rather in re-organizing, the ancient sanctuaries at these two cities and raising them to the rank of royal shrines of the Northern Kingdom, Jerobeam I had in his day naturally repudiated the relatively new and imported solar cult of the Jerusalem Temple and therefore must have reverted to the conditions, institutions and practices of the old, agricultural religion as it had been observed in the agricultural North from ancient times. This is evident, and its full import is made clear, from one piece of evidence of deep significance for this study.

Scholars have established with certainty that the regnal years of Jerobeam I and his immediate successors were reckoned from the spring, while those of the kings of Judah were, during the same period of history, reckoned from the fall.<sup>274</sup> But the reckoning of regnal years is not something purely mechanical, which exists in a vacuum, apart from all contact with life. The regnal years of the kings of Judah from Solomon on were reckoned from the fall because, as we have seen, under the luni-solar calendar which Solomon introduced, the New Year's Day fell in the fall, upon the day of the fall equinox, and the new calendar year began upon that day. Correspondingly, if in the Northern Kingdom the regnal years of Jerobeam I and his successors were reckoned from the spring, this can mean only that in Israel the year was reckoned from the spring, that the New Year's Day came at some time in the spring, and that the calendar year of the nation was reckoned from that day. This can mean, in turn, only that at the division of the kingdom, when he became king of the North, Jerobeam I had repudiated the luni-solar calendar and had officially adopted in its place a calendar which reckoned the year from some moment in the spring. There is no more reason to suppose that Jerobeam I evolved a new calendar than that he inaugurated a new religion. All that he could have done, and certainly it was the most natural thing for him to do, was

<sup>274</sup> Cf., most recently, Thiele, "The Chronology of the Kings of Judah and Israel," *JNES*, III (1944), 137-186; Vogelstein, *Biblical Chronology*, I.

to revive both the old, native, agricultural religion and the closely related pentecontad calendar,<sup>275</sup> which Solomon had abolished, but which must undoubtedly have continued to be employed uninterruptedly throughout this thirty-seven years period<sup>276</sup> in their daily agricultural activities and practices by the farmers of the Northern Kingdom, even as, as we have learned, it is employed by the peasants of Palestine still today.

This repudiation of the luni-solar calendar and revival of the pentecontad calendar by Jerobeam I was one of the necessary corollaries of his rejection of the Jerusalem Temple and his purposed effort to wean his people away from all regard for that sanctuary and its various institutions. This procedure on the part of the new king must have been popular with the farmers of the North and must have helped to win for him their fealty and loyal support. The same must have been true with his revival of the bull-cults at Dan and Bethel. The representation of Yahweh in the form of a bull must also have been an institution borrowed from the ancient agricultural religion of Canaan.<sup>277</sup>

<sup>275</sup> See Additional Note C.

<sup>276</sup> According to Vogelstein (*op. cit.*) Solomon's Temple was dedicated in the fall of 969 B. C. (cf. Additional Note A), and the division of the Kingdom took place in 932 B. C.

<sup>277</sup> Cf. Waterman, in *AJSL*, XXXI (1916). Meek (*Hebrew Origins*, 133 f.) holds that the bull-cult was not of Canaanite origin, but was brought in by some one of the northern tribes when it forced its way into Palestine. However, this hypothesis is disproved by the single, cogent consideration that, before entrance into Palestine, i. e. while still resident in the desert, none of the Israelite tribes could have been sufficiently acquainted with the bull to have represented its deity in bull-form, since the bull is an animal unable to subsist in the desert and therefore could have played no role whatever in desert life and culture. Moreover, since the bull-cult is directly associated with agriculture and the religion of agricultural peoples, and, as Meek rightly observes, was practically unknown in Southern Palestine, it follows that no Israelite tribe, previous to its settlement in Palestine, could possibly have conceived of and represented its deity in the form of a bull.

For the hypothesis that the young bull was from quite early times the symbol of the moon-god, Sin, and the apparent implication that in the cult of the bull-images at Bethel and Dan Yahweh, as the agricultural god of Israelite Palestine, might have been identified or syncretized in some manner with the ancient Semitic moon-god, cf. Lewy, "The Late Assyro-Babylonian

It contrasted strikingly with the culturally decidedly more advanced representation of Yahweh by a golden image in human form, seated like a king upon his throne, in the Temple at Jerusalem inaugurated by Solomon.<sup>278</sup> Therefore this revival of the bull-image worship may well have been a part of Jerobeam's plan to divorce the people of the North from all allegiance to the Jerusalem Temple. True, this representation of Yahweh in the form of a bull violated the ancient, Mosaic principle expressed in the second *dabar* of the C Code, that Yahweh must be represented by no image of gold or silver.<sup>279</sup> But beyond all doubt these sacred images had been standing in these two royal sanctuaries of the Northern Kingdom from of old,<sup>280</sup> and their use seemed therefore both natural and proper and raised no question and no challenge from any circle. Thus under Jerobeam I and his immediate successors the old agricultural religion and with it the old pentecontad calendar were revived and flourished in the Northern Kingdom with much of their pristine vigor, and the calendar year and the regnal years of the kings of the dynasty of Jerobeam I were accordingly reckoned from the spring.

However, this reckoning of the year could not have been from some specific and fixed date of a lunar month, the same date of the month each year. Rather, in accordance with the procedure of the pentecontad calendar, as the Lewys have established this, it must have been a somewhat variable date, depending largely upon the state of the crop in each year. In all likelihood, in fact in almost complete certainty, as we have already learned, the New Year's Day of the pentecontad calendar, now revived in the Northern Kingdom, must have fallen upon the day following the close of the Matzot Festival, the day of cutting the first sheaf and the formal beginning of the harvesting of the new crop, the first day of the harvest "fifty." But now there must have been one fundamental departure from

Cult of the Moon and Its Culmination at the Time of Nabonidus," *HUCA*, XIX (1945-1946), 447 f.

<sup>278</sup> Cf. "Amos Studies," III, 229 f.

<sup>279</sup> Cf. "The Ark, the Ephod and the 'Tent of Meeting'," 147-158.

<sup>280</sup> Cf. Jud. 18.30 f.

the pentecontad calendar practice of the pre-monarchic period. Israel, the Northern Kingdom, was now a unified kingdom, united under the administration of one absolute sovereign. It follows therefore that the earlier, variable local reckonings of the pentecontad calendar, dependent upon the state of the crop in the different localities or cult centers, must now have given way to one, uniform, national reckoning of the calendar and a formal fixing of the New Year's Day for the entire nation, a national New Year's Day, in other words, and a unified, national observance of the pentecontad calendar. Only by such a national pentecontad calendar could the regnal years of the kings of Israel be reckoned from a New Year's day in the spring and the affairs of the nation be properly administered.

Thus it developed, in a manner quite natural and easily comprehensible, that two different calendars came to be in use simultaneously in Israel immediately after the division of the Kingdom, the old, revived pentecontad calendar in the Northern Kingdom and the luni-solar calendar still persisting in the Southern Kingdom. Accordingly, in the North the regnal years of the kings were reckoned from a New Year's Day in the spring, while in the South they continued to be reckoned from the luni-solar New Year's Day, the day of the fall equinox, upon the 1st of Bul.

## C

### THE CALENDAR FROM 899 TO 841 B. C.

That the reformation in the Southern Kingdom in the fifteenth year of Asa, 899 B. C., succeeded in considerable measure is amply attested by 1 Kings 15.12-15 and by the much fuller record in 2 Chron. 14.1-4; 15.1-18. But whether it achieved its entire program is doubtful. In fact the statement recorded in 1 Kings 15.14a and 2 Chron. 15.17a may suggest that in some respects the reformation did not attain its complete goal.

We may ask therefore whether the luni-solar calendar was abolished and the old pentecontad calendar revived in the Southern Kingdom, as the legislation for the three agricultural

festivals of the pentecontad calendar in the K Code certainly contemplated. It would be natural to suppose that the young king, Asa, eagerly and almost unquestioningly following the leadership of the prophets and the Kenites in this reformation, would have endeavored to carry out all its prescriptions zealously and even fanatically. In such case, since the calendar system, and with it the cycle of religious festivals, were so closely bound up with the royal administration of the affairs of government, it might be taken for granted that this detail of the reformation program was carried through thoroughly under Asa's direction.

On the other hand, it must be constantly borne in mind that the Temple at Jerusalem was not destroyed nor even closed, nor was its cult suspended as the result of this reformation. Neither was its orientation towards the point of sunrise on the two equinoctial days changed, nor could it be; and with this circumstance, of course, the cult of the Temple was intimately and almost indissolubly linked. At the very most therefore the Temple cult was modified only to some extent. The Zadokite priests continued to function in the Temple with unabated authority,<sup>281</sup> and undoubtedly viewed with considerable misgiving any changes in Temple organization or ritual which would have trenched too greatly upon their vested interests or reduced their traditional prerogatives. It must be borne in mind also that in the ritual of the New Year's Day of the luni-solar calendar, upon the day of the fall equinox, the king himself functioned as the supreme priest of the nation in the performance of the complex rites upon which the welfare of the nation for the new year was thought to depend.<sup>282</sup> It may well be therefore that at least this one detail of the reformation program met with considerable opposition; and it may even be that the young king, not welcoming too eagerly the loss of one of his most

<sup>281</sup> Note the role and authority of Jehoiada, the chief priest of the Jerusalem Temple, and of his associates; 2 Ki. 11.4 ff.

<sup>282</sup> Cf. "A Chapter in the History of the High-Priesthood," *AJSL*, LV (1938), 5-11; "Amos Studies," II; note also that Joash so functioned, 2 Ki. 11.14 ("Amos Studies," III, 375).

important royal prerogatives, the exercise of which must have strengthened greatly his authority among his people, was not too extreme in his support of that portion of the reformation program which dealt with the revival of the old festivals of the pentecontad calendar, and with the complete abrogation of the solar calendar and its festivals.

What actually transpired therefore in 899 B. C., as the practical effects of the reformation in Judah, in addition to the removal of the golden image of Yahweh from the *d'bir* of the Temple and the substitution of the ark for it,<sup>283</sup> was, in all probability, a harmonization and integration of the two calendars and of the two systems of festivals. It must be borne in mind that in Judah, too, now well unified as a nation, the need was definitely felt for a single, national calendar instead of the earlier, local forms of the pentecontad calendar. The attempt was now made, no doubt, under the supervision of King Asa, to coordinate the major festivals of the agricultural, pentecontad calendar, and particularly Matzot, Katsir and Asif, with the critical moments of the solar year, the equinoxes and solstices, and with the solar festivals then celebrated. In connection with the Matzot and Asif Festivals this process was not too difficult, for the proximity of the Matzot Festival to the spring equinox facilitated this process greatly. And the problem of moving up the Asif Festival to a date practically coincident with the fall equinox, and therefore only some two weeks earlier than the time of its original celebration, was also not too difficult of solution, particularly under the compulsion of developing a single, national calendar for nation-wide observance.

This process had apparently even been initiated by Solomon himself at the very dedication of the Temple; for it is clear from the biblical evidence,<sup>284</sup> that Solomon dedicated his new Temple both upon the New Year's Day, the day of the fall equinox and of the coming of the first rays of the rising sun through the open

<sup>283</sup> Cf. "Amos Studies," III, 224-258.

<sup>284</sup> Cf. 1 Ki. 8.65 f.; 2 Chron. 7.1-3. This matter will be developed in much detail in the frequently cited and still unpublished study, "The Fire upon the Altar."



eastern portal, and also in close connection with the Asif Festival.<sup>285</sup> It must have been Solomon therefore who first shifted the Asif Festival from its original moment of celebration, the eight days *šapattum* period intervening between the fourth and fifth "fifties" of the old pentecontad calendar, and set it upon the last seven days of the old year, with the eighth day, the final day of the old festival, now falling upon the day of the fall equinox and now celebrated as the New Year's Day of the new calendar.

This process must have been continued and probably developed still further under Asa and Jehosaphat. Perhaps it was at this time that the Matzot Festival, too, was integrated in some way with the luni-solar calendar. Its celebration was probably fixed for the week, beginning with Sunday, in which the spring equinox fell; but apparently its basic character as an agricultural festival remained practically unchanged.

The Katsir Festival, celebrated fifty days after the cutting of the first sheaf of the new crop, and therefore inaugurating the next "fifty" in the old pentecontad calendar, was too dependent upon the state of the crop, and also too distant in time from either equinox and solstice, to be coordinated in any way with the luni-solar calendar or with the Temple cult. It probably continued to be observed in the days of Asa and Jehosaphat largely as a folk-festival at the old, local shrines and after the traditional manner of the pentecontad calendar. The same condition must have obtained with the remaining festivals of the pentecontad calendar, those coming at the end of each successive "fifty" of the pentecontad year. The observance of these festivals at the local sanctuaries probably explains the statement of the Deuteronomic compilers of the Books of Kings, that during the reign of Asa the high places did not depart from Judah, but nevertheless Asa's heart was perfect with Yahweh all his days,<sup>286</sup> and the parallel statement concerning Jehosaphat, that he went completely in the way of Asa, his father; nevertheless the high

<sup>285</sup> Cf. 1 Ki. 8.65; 2 Chron. 7.8-10 and "The Three Calendars of Ancient Israel," 36-43.

<sup>286</sup> 1 Ki. 15.14.

places did not depart and the people continued to offer sacrifices and to burn fires<sup>287</sup> there <sup>288</sup>

Apparently then, as the result of the reformation in Judah in 899 B. C., a compromise was effected between the two calendars and their festivals, a fusion of the two, which transferred the Matzot and Asif Festivals from their original moments of celebration as institutions of the pentecontad calendar to new dates in close association with the two equinoxes. Their celebration must now have come to center in the Temple at Jerusalem. The remaining festivals of the pentecontad calendar continued to be observed at their regular seasons and in their traditional manner at the local shrines, and with their long established cult practices, including, so it seems, the kindling of fires at the proper occasions. This procedure seems to have continued in Judah throughout the last twenty-six years of the reign of Asa and the entire reign of Jehosaphat, a period of approximately a half century. It seems to have satisfied both the prophets of the day and also the priests of the Jerusalem Temple.

But it is clear that in the official calendar of the country, at least so far as the recording of the years was concerned, the luni-solar calendar prevailed, with the result that even during this period of the reformation the regnal years of both Asa and Jehosaphat were still reckoned according to the luni-solar calendar, i. e. from the New Year's Day coming in the fall, on the day of the fall equinox.

In the Northern Kingdom, as was to be expected, the calendar evolved in an altogether different manner. As we have learned, upon his accession to the throne of Israel as sole ruler, after the overthrow of his rival, Tibni, Omri inaugurated a policy in large measure the direct antithesis of that which his predecessors of the dynasties of Jerobeam I and Baasha had followed. It was practically the same policy as that which David and Solomon had initiated and pursued so successfully. He established relations of peace, friendship and close alliance with Judah,<sup>289</sup> and thus restored at least a semblance of the old national unity. He

<sup>287</sup> קטר; cf. Pt. I of this study (*HUCA*, XX [1947]), 53 f.

<sup>288</sup> 1 Ki. 22.43 f.

<sup>289</sup> See Additional Note D.

likewise renewed on the part of both nations the old commercial relations with Tyre. This meant a league of these three nations against Damascus in the struggle for the commercial domination of Western Asia. The program was carried out successfully in every way. Steadily economic prosperity and political power returned to Israel and, in secondary measure, to Judah also, while the power and authority of Aram declined correspondingly. Under Ahab, the able monarch, the son of Omri, Israel became once again in considerable measure what it had been under David and Solomon, the dominant nation in Western Asia. International commerce was now flourishing anew in both Israel and Judah. The rich caravans which came up the Spice Route from South Arabia, were diverted at Akaba from proceeding up the "King's Highway" to Damascus, and once again passed through Judah and Israel on their way to Tyre.<sup>290</sup> Obviously international relations had to be cultivated and safeguarded just as in the days of David and Solomon. Therefore the marriage of Ahab with Jezebel, the Phoenician princess.

Naturally the question arises here, just what effect did this new international policy, and particularly the renewed, intimate relations between Tyre, Israel and Judah, have upon the religious life and the calendar and festival systems of the two nations. With regard to Israel this question can be answered with considerable assurance. It is impossible to believe that with the inauguration of the new national policy by Omri, and particularly after Ahab's marriage with Jezebel,<sup>291</sup> the old pentecontad calendar continued to be employed in Israel without any modification. Israel had initiated the new international, commercial policy for both nations. Under Ahab Israel became the dominant nation among the little states of Western Asia, and in the federation of these states against Shalmaneser III at the Battle of Karkar in 853 B. C. it occupied a position of authority and leadership at least equal to that of Aram.<sup>292</sup> Under conditions such as

<sup>290</sup> Cf. "Amos Studies," III, 86-91.

<sup>291</sup> Which took place while Omri was still king and Ahab only crown prince; cf. "Chronological Data of the Dynasty of Omri," 395 f.

<sup>292</sup> Olmstead, *History of Palestine and Syria*, 384 f.

these the inadequacy of the pentecontad calendar, even in the revised, national form in which, since the division of the Kingdom and the reform of Jeroboam I, it had been employed in Israel,<sup>293</sup> must have been felt with steadily increasing compulsion. Of even greater force in this connection must have been the personality and program of Jezebel.

She came to Israel as a foreign princess, proud of her native religious and cultural background and seemingly animated by a persistent desire and purpose to introduce into Israel the cult of her Phoenician deities with all the attendant phenomena. She exercised a potent influence upon her husband, powerful and absolute monarch though he was.<sup>294</sup> A sanctuary to her Phoenician deities was erected in Samaria, the capital,<sup>295</sup> and apparently it played the role of chief royal shrine for the Northern Kingdom from the moment of its dedication until the murder of Jezebel and the overthrow of the dynasty of Omri by Jehu in 841 B. C.<sup>296</sup> The elements of Phoenician culture and the worship of the Phoenician deities spread throughout the land, despite the devoted opposition of the prophets loyal to Yahweh. Correspondingly, the old, simple, democratic peasant way of life and the old and uncontaminated worship of Yahweh were forced more and more into the background. The commercial class and the urban population grew rapidly in numbers and in power, and the middle, peasant class, the real strength of the nation, receded in the same measure.

Under these circumstances it is almost inconceivable that once again in Israel the old, pentecontad calendar was not superseded by the luni-solar calendar. There is nowhere in the Bible any direct statement to this effect. But two bits of evidence tend to support this assumption.

According to 2 Ki. 9.29 Ahaziah came to the throne of Judah in the eleventh year of Joram of Israel. According to 2 Ki. 8.25 this was in the twelfth year of Joram. These two records seem

<sup>293</sup> Cf. above, pp. 9 f.

<sup>294</sup> Cf. "Amos Studies," III, 152-155.

<sup>295</sup> 1 Ki. 16.31-33; 2 Ki. 10.18-28.

<sup>296</sup> According to 2 Ki. 13.6b, obviously a gloss, some remnants of this cult persisted in Samaria even into the reign of Jehoahaz the son of Joash.

to contradict each other. Yet there is no reason whatever to regard one as correct and the other as incorrect. A far more probable explanation of the seeming contradiction may be that two different systems of reckoning the regnal years of kings are here employed. This fact Thiele<sup>297</sup> has established with abundant and convincing evidence. He has concluded further from this evidence that a system of antedating had been employed in Israel from the days of Jerobeam I, and that under Jehoram of Judah this system was introduced into the Southern Kingdom. On the other hand, so he maintains, some historiographers of the day must have resisted the innovation and continued to reckon the regnal years of the kings of Judah by the older system. In this manner, he contends, because of these two divergent systems of reckoning the regnal years of kings, this seeming discrepancy in the chronology of Ahaziah's reign occurred.

However, there is no need nor justification for the inference that this discrepancy between these two records implies a transfer from a system of postdating to a system of antedating.<sup>298</sup> Precisely the same discrepancy would have resulted had there been a change in the calendar system and a shift of the New Year's Day, with a consequent shift also in reckoning the beginning of the regnal year, from the day of the fall equinox to a suitable date in the spring, i. e. a shift of approximately a half year in extent. Vogelstein<sup>299</sup> saw this clearly in principle

<sup>297</sup> "The Chronology of the Kings of Judah and Israel," *JNES*, III (1944), 143-150, 151a, 153a; so also Vogelstein, *Biblical Chronology*, I, 18.

<sup>298</sup> Actually I can find no evidence whatever to support Thiele's contention that there was a change from a system of postdating to one of antedating or vice versa at this time. So far as I can make out from a careful consideration of the biblical evidence, a system of antedating existed in both Israel and Judah until the middle of the eighth century B. C. (so also Vogelstein, *op. cit.*, 17). In Israel postdating seems to have begun only during the reign of Menahem. This may have been due, as Vogelstein has suggested, to the strong cultural influence which from that time on Assyria exerted upon both its vassal states, Israel and Judah. Vogelstein holds that postdating began in Judah with Ahaz. This is difficult to determine with certainty, since Jotham, and perhaps Ahaz also, functioned as regent during the life of Uzziah. But in view of Ahaz' cultural dependency upon Assyria (cf. 2 Ki. 16), it seems altogether probable.

<sup>299</sup> *Op. cit.*, 17-22.

and applied the principle strictly and constructively to synchronisms in the reigns of the kings of Israel and Judah.

It should be realized fully that actually the discrepancy in this dating is not at all in the reckoning of the regnal years of the kings of Judah. Inasmuch as Ahaziah of Judah is given only one year of reign, and actually reigned even less than a full year, there can be no uncertainty as to the date of his reign. The discrepancy is in the reckoning of the regnal years of Joram of Israel, and specifically whether the year in which Ahaziah of Judah ascended his throne was the eleventh or the twelfth of Joram of Israel. And, as has been suggested, there is actually no discrepancy here. Rather, we have two systems of reckoning the regnal years of Joram, the one reckoning the regnal years from a New Year's Day on the day of the fall equinox, i. e. according to the luni-solar calendar, and the other from a New Year's Day in the spring, i. e. according to the pentecontad calendar. Both Thiele and Vogelstein agree that Joram ascended the throne of Israel in 852 B. C. According to the reckoning of the luni-solar calendar his first regnal year began on the day of the fall equinox of that year; according to the reckoning of the pentecontad calendar it began on a New Year's Day in the spring of 851 B. C. Ahaziah ascended the throne of Judah early in 841 B. C. Reckoning according to the luni-solar calendar, this was in the twelfth year of Joram of Israel; reckoning according to the pentecontad calendar this was in Joram's eleventh year.

From this evidence it is apparent that the regnal years of Joram of Israel were reckoned according to two different systems of calendation, and that, too, not merely, as Thiele has suggested, as the result of the prejudices of a conservative school of historiographers,<sup>300</sup> but rather because these two systems of calendation were both more or less official during this one particular reign. How could this be?

2 Ki. 3.2-3 tells that Joram of Israel did that which was

<sup>300</sup> For, had this been the case, we would expect to find these two divergent systems of reckoning regnal years present in the records of the predecessors and successors of Joram, and this we do not find.



evil in the eyes of Yahweh, but not after the manner of his father, and his mother; for he removed the image of the Baal which his father had made. However, he adhered to the sins of Jerobeam I, who corrupted Israel; he departed not therefrom. We have already commented upon the distinction here drawn between the sin of Jerobeam I against Yahweh and the iniquity of Ahab and Jezebel. Obviously the author or authors of this passage regarded the sin of Jerobeam I as not at all identical with the sin of Ahab and Jezebel and the former as of less magnitude than the latter. The full meaning of this passage becomes clear in the historical setting which we have recovered for it. We have seen that Jezebel, with the approval and support of Ahab, introduced into Israel the worship of the Phoenician deities. This implies, of course, the observance of the annual festivals in the cult of these deities, and with this, necessarily, the luni-solar calendar. As we have learned, this contrasted markedly with the worship of Yahweh as an agricultural deity, the native god of the land, and with the annual cycle of agricultural festivals and the pentecontad calendar. The passage tells that Joram repudiated the religious institutions and practices which his parents had inaugurated, and even went so far as to remove the Baal image which his father had set up, unquestionably the image of the Tyrian Baal. The second half of the passage tells that he reverted to the religious institutions and practices of Jerobeam I. This can mean only that he must have revived the pentecontad calendar, and with it the cycle of ancient agricultural festivals. This is illuminating evidence that the pentecontad calendar and its festal cycle must have been suppressed and the luni-solar calendar and the solar festivals must have been introduced into Israel by Ahab and Jezebel. During their twenty-two years reign the luni-solar calendar must accordingly have been employed in both Israel and Judah.<sup>301</sup>

<sup>301</sup> A comparative study of the chronologies of the kings of Israel and Judah and of their synchronisms suggests that in all likelihood the luni-solar calendar and the reckoning of the regnal years thereby was reintroduced into the Northern Kingdom already by Omri. This would have been, of course, one of the circumstances of his revival of the policies of David and Solomon,

We are not told what influenced Joram of Israel to repudiate the religious institutions and practices which his royal father and mother had introduced into Israel with so much concern. But certainly it was a strong and compelling influence which impelled him to this policy and program even during the life of his strong-willed mother. We can only surmise what it may have been. In all likelihood it was at the urging of the prophets of the North, men like Micaiah ben Yimlah, who during the reign of Ahab had remained stubbornly loyal to Yahweh and refused steadfastly to speak the word which the king wanted to hear. It may well be, too, that in the early years of his reign his ally, Jehosaphat of Judah, likewise influenced him in this direction, for the Bible records how amenable to prophetic influence Jehosaphat was<sup>302</sup> and also how intimate were the relations between Jehosaphat and Joram.<sup>303</sup> But granting all this, and the biblical record hardly permits any other conclusion, it follows that the reformation of 841 B. C., under Elisha, was anticipated in considerable measure already in the reign of Joram of Israel. Once again the pentecontad calendar flourished in the Northern Kingdom.

But here it might well be asked, if it be correct that already under Joram of Israel a reaction away from the practices of Ahab and Jezebel had begun, and the luni-solar calendar had been repudiated and the pentecontad calendar had been restored, what need was there for the reformation in the Northern Kingdom in 841 B. C., instigated by Elisha and his prophetic associates and supported by Jehu upon his ascendancy to the throne? This question can be answered readily.

the renewal of close, cooperative relations with Tyre, the restoration of international commerce, and the consequent necessity, immediately felt, of a calendar of international use and authority, and with a system of time reckoning more precise than was possible under the pentecontad calendar, even in a nationalized, Israelite form. This hypothesis seems altogether probable and has much to commend it. This would mean that the luni-solar calendar was officially employed in Israel during the rule of the entire dynasty of Omri, with the reign of Joram being a qualified exception to this fact.

<sup>302</sup> Cf. 1 Ki. 22.6 ff.

<sup>303</sup> Cf. 2 Ki. 3.7 ff.

There is no reason to question the sincerity of Joram's rejection of at least the religious portion of the program of his father, and his reversion to the ancient, traditional form of worship of Yahweh, the native, national deity of Israel. 2 Ki. 6.26 ff., even though it be legendary, rather than actually historical, in character, evidences that popular opinion ascribed to Joram a deep sympathy for the sufferings of his people and a resolute faith in Yahweh as the true, national god of Israel. But it evidences also, as does 2 Ki. 3.13 f. likewise, how deep and unbridgeable was the rift between Joram and Elisha and the prophetic followers of Elisha. It is plain that Elisha believed firmly that the entire household of Ahab and Jezebel were hopelessly devoted to the deities of Tyre and their worship, and that no trust and no hope could be reposed in any of them, not even in Joram. Obviously, the paths of Elisha and Joram had crossed more than once, and their mutual enmity was uncompromising. Certainly Elisha was convinced that there could be no whole-hearted return of the people of the Northern Kingdom to the true worship of Yahweh so long as any scion of Ahab sat upon the throne of Israel. Therefore his conspiracy, with the support of his prophetic associates, to set Jehu upon the throne as the founder of a new dynasty, and with this as the promulgator of a new national policy.

Of this estimate of Joram and of the entire household of Ahab Elisha may have found confirmation in the fact that even though, as 2 Ki. 3.2 attests, Joram had sought to remove the image of the Baal in Samaria which Ahab had set up, none the less, as 2 Ki. 10.18-28 evidences, this can at the most have been only a superficial procedure. Under the personal supervision of Jezebel, who was present in the palace in Samaria throughout the reign of Joram, the sanctuary of Baal in Samaria continued to stand and the worship of Baal to flourish there until the murder of Joram and Jezebel by Jehu and the accession of the latter to the throne. Only then, manifestly at the instigation of Elisha and his prophetic followers and of Jonadab the Rekabite, was the Baal sanctuary in Samaria completely destroyed and Baal worship, i. e. the worship of the Tyrian deities, thoroughly uprooted from Israel. It is clear therefore

that, whatever reforms Joram may have initiated in Israel, they did not go far enough to satisfy the mistrusting Elisha and his followers. In this, too, Elisha may justifiably have been influenced not a little by what was developing in Judah, the Southern Kingdom, under the strong influence of Athaliah, the daughter of Ahab and Jezebel and the wife of Jehoram of Judah.<sup>304</sup> It is clear in every way that Elisha and his prophetic followers reposed no confidence in Joram and in the sincerity of his allegiance to Yahweh and of his apparent attempts at religious reform, particularly so long as Jezebel still lived and resided in the royal palace close to her son. That they should have believed that only a political revolution and the setting upon the throne of Israel of a new dynasty, more loyal to the ancient, native Yahweh and His cult, followed by a complete eradication of all vestiges of the worship of the Tyrian deities in Israel and a systematic restoration of the ancient Yahweh way of life and Yahweh cult, based upon a clearly defined program, in other words, a thoroughgoing reformation, could restore the people of the Northern Kingdom to right relations with their true and ancient national god, is not at all surprising.

This situation, in which the powerful mother of the king dominated her son and in very large measure dictated the national policy, was strikingly similar to that which had obtained in the Southern Kingdom fifty-eight years earlier, in the fifteenth year of Asa. Moreover, the Kenite clan, the Rekabites, played a positive and active role in this political revolution and the attendant reformation, just as it seems to have played at that time. It is quite natural therefore that this second reformation, in 841 B. C., under the leadership of Elisha and Jonadab b. Rekab, should have been patterned after the reformation in 899 B. C., and that its program, set forth in the ten *d'barim* of the C Code,<sup>305</sup> should have been almost identical with that which guided the course of the earlier reformation.<sup>306</sup>

<sup>304</sup> 2 Ki. 8.18, 27; cf. below. pp. 417 ff.

<sup>305</sup> "Amos Studies," III, 349-364.

<sup>306</sup> Moreover, if the hypothesis which I have advanced in "Amos Studies," III, 291-299 be correct, that Elijah was himself a Kenite, and perhaps even a Rekabite, and heir therefore of both the spirit and the program which

It is easy therefore, with this historical setting, to understand the full import of the ten *d̡barim* of the C Code and the entire tenor of this second reformation.

That the C Code was, precisely like its predecessor, the K Code, a covenant code, is evidenced completely, despite the fact that its opening statement, setting forth who the two parties to the covenant were, Yahweh and Israel, is missing, by the narrative in Ex. 24.3 ff.<sup>307</sup> The purpose of the C Code was to restore erring Israel to perfect covenant relations with Yahweh, its ancestral deity. As we have learned, this Code, too, like the K Code, forbids the use of idols of gold or silver in the worship of Yahweh. It commands likewise the use of a simple altar of earth, the same simple sacrificial system as in the K Code, with only a few slight modifications, the observance of the Sabbath as a day of abstention from labor of any kind every seventh day, the letting of the fields lie fallow every seventh year, and the three annual festivals, Matzot, Katsir or Harvest, and Asif or Ingathering.<sup>308</sup>

As we have seen,<sup>309</sup> the Sabbath day, the Sabbatical year and the three harvest festivals were all institutions of the pentecontad calendar. Manifestly then this C Code, and likewise the reformation of which it was the platform, like the K Code and its reformation fifty-eight years earlier, had as a concrete

inspired and guided the reformation of 899 B. C., then it is thoroughly comprehensible that his disciple, Elisha, should also have cherished a profound respect for that reformation and for the written record of its program, that he should have been drawn readily into cooperative association with Jonadab, the leader of the Rekabite clan in his day, the relative in some degree of his master, Elijah, and that the two together should have planned this second reformation and have patterned it in almost every essential detail after the first reformation, just fifty-eight years earlier, with merely relatively minor modifications in order to accommodate it to the conditions obtaining at the time in the Northern Kingdom.

<sup>307</sup> "The Book of the Covenant," I (*HUCA*, V [1928]), 4-14.

<sup>308</sup> Here, too, the timing of the Matzot Festival at the new moon of Abib and of the Asif Festival at the end of the year, since these were not the actual moments of the celebration of these two festivals in the pentecontad calendar proper, must be secondary, the work of Deuteronomic editors, or, in the case of the Asif Festival, of other, late editors; cf. above, pp. 430 ff.; 452 ff.

<sup>309</sup> Above, pp. 370 ff.



and basic goal the revival of the pentecontad calendar, and with this the repudiation and abrogation of the luni-solar calendar. Indirectly its aim was to uproot from Israel all elements of the Phoenician religion, and particularly its calendar and its festivals, and to revive the ancient, agricultural religion of Israel, with Yahweh once again in the role of the deity who bestows upon His people the blessings of agricultural life within His land, and with the old rites and institutions of His worship, as these had flourished in the pre-monarchic days, and, as it must now be admitted, despite the condemnatory judgment of later Deuteronomic historiographers, as they had previously been revived in some measure by Jeroboam I, when he repudiated the luni-solar calendar and its festivals and revived the pentecontad calendar and its festival system.<sup>310</sup>

Once again, it must be recognized clearly, the abrogation of the luni-solar calendar and its festival system and the restoration of the pentecontad calendar and its festival system constituted the concrete and practical issue at the very heart of this religious reformation in Israel. And once again the prophets of Yahweh championed the old pentecontad calendar and its festivals and repudiated the luni-solar calendar and its festivals and its distinctly solar rites.

It is plain, too, from all this evidence that, after a brief employment of the luni-solar calendar in Israel under the dynasty of Omri, the pentecontad calendar was revived in the Northern Kingdom, and the regnal years of the kings of Israel continued to be reckoned by it from a New Year's Day in the spring.<sup>311</sup>

<sup>310</sup> See Additional Note E.

<sup>311</sup> With the accession of Jehu to the throne and the carrying through of the program of the reformation, and particularly with the revival of the pentecontad calendar in the Northern Kingdom, the regnal years of the kings of Israel began once again to be reckoned from a New Year's Day in the spring. Accordingly Jehu's first regnal year began in the spring of 841 B. C., although he did not actually come to the throne until later in this year. Through this reversal to the system of reckoning the regnal years of the kings of Israel according to the pentecontad calendar, the approximately half-year which would otherwise have been lost by the earlier transfer from the pentecontad to the luni-solar calendar at some moment in the reign of either Omri or Ahab, was regained.



Apparently under Jehu and with the support of the prophets the reformation of 841 B. C. in the Northern Kingdom was carried through somewhat more thoroughly and effectively than was that of 899 B. C. under Asa in the Southern Kingdom.

## D

### THE CALENDAR IN ISRAEL AND JUDAH FROM 841 TO 714 B. C.

The accession of Jehu to the throne of the Northern Kingdom, the destruction of the entire family of Ahab, with the resultant end of the dynasty of Omri, and the success of the prophetic reformation in Israel brought about a complete reversal of national and international policies. The early prophets and the professional prophets after them were always intense national isolationists. Jealous for the reputation of Yahweh and His uncontaminated worship by the whole household of Israel, they opposed bitterly and uncompromisingly all relations with foreign nations and all cultural and religious influences which emanated from outside the Israelite nation. They were in consequence always reactionaries in spirit and in program. They seem to have exerted a strong influence upon Jehu, at least in the early years of his reign. It is not surprising therefore that very speedily after his ascension to the throne the co-operative relations with the Phoenicians were terminated, while those with Judah seem to have deteriorated rapidly. As a result the strength of both nations diminished steadily. With the weakening of the alliance of Israel, Judah and Tyre, the power of Aram increased until, under the leadership of its able king, Hazael, it became the indisputably dominant state in all of Western Asia. Singly neither Israel nor Judah could stand against the growing Aramean might. By the time of Jehoahaz, Jehu's successor, Israel had lost to Aram practically all its territory north of the Valley of Jezreel as well as Trans-Jordan, and was reduced to the rank of a third-rate power. Judah, too, fared little, if at all, better. Measured by political, economic and cultural considerations, the triumph of the prophetic program meant always a weak, precarious and inglorious national existence for both Israel and Judah. It meant always national

retrogression, even though at the same time closer conformity to ancient religious tradition and institutions. During such periods the pentecontad calendar with its system of religious festivals was steadily in vogue in Israel, the Northern Kingdom. In fact all the evidence seems to indicate that the pentecontad calendar continued in use in the Northern Kingdom from the time of Jehu until its fall in 721 B. C.

In the Southern Kingdom things developed differently. We have seen that a certain amalgamation of the luni-solar and the pentecontad calendars had taken place during the reigns of Asa and Jehosaphat as the result of the reformation in 899 B. C. The pentecontad calendar festivals, Asif and Matzot, were coordinated with the two equinoctial festivals. The remaining festivals of the pentecontad calendar undoubtedly continued to be observed more or less regularly as local institutions at the ancient sanctuaries, the so-called "high places," scattered throughout the country. It is to this local type of worship, as we have learned, that, in all likelihood, 1 Ki. 15.14; 22.44 refer. But the official religion of the nation and its formal cult centered in the Temple at Jerusalem, and there the Asif and Matzot Festivals were formally celebrated in connection with the two equinoctial days. In consequence of this in the official calendar the ancient seven days *šapattum* of the Matzot Festival was now separated almost completely from its original connection with the beginning of the grain harvest, and with this the ancient custom of eating matzot, or unleavened bread, during these seven days, the custom which had given to the festival its distinctive name, must now have begun to lose its original meaning and purposê and to survive merely as a conventional folk-practice.<sup>312</sup> The eight days *šapattum* of the Asif Festival was now split into two sections, the first seven days constituting the festival proper, on the last seven days of the old year, and the eighth day, now celebrated on the day of the fall equinox, as the New Year's Day, with the king functioning as the supreme priest of the nation at the all-important rite of the coming of the first rays of the rising sun upon this day.<sup>313</sup>

<sup>312</sup> See Additional Note F.

<sup>313</sup> Cf. "The Gates of Righteousness"; "Amos Studies," II.

Such must have been the religious practice in Judah under Asa and Jehosaphat.

However, with the death of Jehosaphat conditions changed rapidly in Judah. 2 Ki. 8.18 tells that, influenced by his wife, Athaliah, the daughter of Ahab and Jezebel, Jehoram, Jehosaphat's son, king of Judah, walked in the evil ways of the kings of Israel of the house of Omri. The reference is, of course, to the worship of the Phoenician deities. This conduct on the part of Jehoram is represented as faithlessness to Yahweh. In this he was followed, during his brief reign, by his son and successor, Ahaziah, as 2 Ki. 8.27 records. Undoubtedly he was even more susceptible to his mother's influence than his father had been. And certainly when, after the murder of her son by Jehu, Athaliah made herself queen of Judah and ruled for six years, she must have continued ardently the religious and cultural program which she had brought with her to Judah and Jerusalem from her parents' house. This is fully attested by 2 Chron. 23.17, which tells that a Baal sanctuary had been erected even in Jerusalem, no doubt upon the Temple Mount itself, in which a body of Baal priests, under the leadership of a certain Mattan, in all likelihood, as the name suggests, a Phoenician, functioned as chief priest.<sup>314</sup>

Under circumstances such as these it is impossible not to conclude that the luni-solar calendar and its festival system were flourishing in full force in Judah during the brief period of the reigns of Jehoram, Ahaziah and Athaliah. We may go a step further and infer that the righteousness repeatedly ascribed to Jehosaphat<sup>315</sup> in remaining faithful to Yahweh, despite the persistence of the cult of the "high places" in Judah, consisted in his steadfastly resisting the religious and cultural influences and urgings naturally exerted upon him by his powerful ally, Ahab, and also by Jezebel, and remaining loyal to Yahweh and to the traditional cult as it had evolved in Judah in the days of Asa. But with the accession of Jehoram to the throne all this changed, and the worship of the Tyrian deities came to flourish in Judah

<sup>314</sup> Cf. also 2 Chron. 24.7.

<sup>315</sup> 1 Ki. 22.43 f., 47; 2 Ki. 3.14; 2 Chron. 17.3,10; 19. 3-11; 20.3, 19, 22 f.

and Jerusalem upon almost, if not quite, the same scale as in Israel and Samaria.

The accession of Joash to the throne of Judah resulted from a coup engineered by Jehoyada, the chief priest of the Temple at Jerusalem. This fact alone evidences that this was much more than a mere political procedure. Many considerations must have motivated the setting of the rightful king upon the throne, and not least among them must have been that of religion. The very first royal function of the young king, immediately after his being anointed by Jehoyada, was to officiate as supreme priest of the land, as we have seen a major prerogative of the kingship, at the all-important ceremony of the coming of the first rays of the rising sun upon the morning of the New Year's Day at the fall equinox.<sup>316</sup> Manifestly a religious reformation was in process

<sup>316</sup> 2 Ki. 11.12-14. V. 15 states that the young king was officiating in the traditional manner (כַּמִּשְׁפָּט) at a particular spot in the Temple, where, in the performance of this ceremony, the king stood regularly. This could not have been the ceremony of the anointing and crowning of the new king, for that ceremony had already been performed and the new king had already been hailed by the multitude in the traditional manner (v. 12). It was the people's shout at this moment, "May the king live," which had given to Athaliah her first intimation of what was transpiring. By the time, however, that Athaliah could arrive upon the scene and see with her own eyes what was happening and realize its full significance, the scene must have unfolded sufficiently for the new king to have begun the discharge of his first royal function. The ceremony of the coming of the first rays of the rising sun had advanced far enough for the young king to have come forth from the *d'bir* of the Temple, from standing before the ark, which symbolized the presence of the Deity within the Temple, and to have taken his proper place for the important, final ceremony of blessing the people (cf. Lev. 9.23; 2 Sam. 6.18; 1 Ki. 8. 14, 55; 1 Chron. 16.2; 2 Chron. 6.3). That the New Year's Day was the occasion most fitting for the installation of the new king is beyond question. And in the light of the fact that the fortunes of the people for the new year, just beginning, were thought to depend in large measure upon the proper performance by the king of the ceremonies attendant upon the coming of "the radiance of Yahweh" into the Temple, we can understand readily the enthusiasm of the people at this moment. Once again, after six unhappy years of what they must have regarded as the rule of a foreigner, and a woman at that, six years likewise of political and economic decline, a king of the dynasty of David was reigning over them. The revival of their national fortunes seemed assured. That the anointing of Joash took place upon the New Year's Day is beyond all question.

in the Southern Kingdom as well as in its northern neighbor. But this reformation, conducted under priestly, rather than prophetic, leadership, contented itself with a relatively modest program. It aimed apparently at nothing more than purging the Temple and the nation of all vestiges of Phoenician Baal worship and restoring the traditional adherence to Yahweh and His cult, as these had taken shape after the reformation of 899 B. C., during the reigns of Asa and Jehosaphat. This meant, of course, among other things, the restoration of the festival calendar and the cult as they had been under Jehosaphat, before the accession of Jehoram to the throne. The calendar was the luni-solar calendar, as we have seen, with the Asif and Matzot Festivals coordinated with it. This calendar actually differed in its essential features very little from the calendar which Solomon had instituted. It continued in use in Judah without further modification for approximately the next sixty years, until some time, so it seems, in the reign of Amaziah.

Thiele<sup>317</sup> has concluded that during the reign of Amaziah a change took place in the calendar system in vogue in Judah. He holds, in conformity with his general hypothesis, that it was a return to the accession-year system of reckoning the regnal years of the kings of Judah. In this he is undoubtedly mistaken. But he has seen correctly that the same system of reckoning the regnal years of kings came to obtain at this time in Judah as was in vogue in Israel,<sup>318</sup> viz. from a New Year's Day in the spring. This can mean only that for the first time since the erection of the Temple by Solomon, a period of almost two

<sup>317</sup> *Op. cit.*, 152 ff.

<sup>318</sup> However, he errs again, so it seems, in his conclusion that Israel, too, after using the non-accession system of reckoning the reigns of its kings from the division of the Kingdom in 931 B. C., had adopted the accession year system under Joash, but a few years at the most before Judah, as he maintains, returned to this system, after having discarded it in the days of Jehoram. As we have contended, agreeing with Vogelstein in this, the real issue was not a change from a non-accession to an accession year system of reckoning the regnal years of kings, but rather a shift from a calendar which began the year and celebrated its New Year's Day in the fall to one which did all this in the spring, i. e. from the luni-solar to the older, pentecontad calendar.



centuries, the pentecontad calendar, in a nationalized form of course, was once again employed in Judah.

Vogelstein has established<sup>319</sup> with great certainty that, as the result of the disastrous Battle of Beth Shemesh during the reign of Joash of Israel, Judah, under Amaziah, became a vassal of Israel and continued in this role during the greater part of the reign of Joash's successor, the powerful and able monarch, Jeroboam II. This is implicit in the statement of 2 Ki. 14.13 f., that Joash destroyed a considerable section of the wall of Jerusalem, carried away the treasure of the Temple and also took guarantees of loyal conduct on the part of Judah. Israel must at this time have imposed a heavy yoke upon Judah. And among other expressions of Judah's subordination to Israel must have been the adoption, no doubt as the result of compulsion, of the pentecontad calendar, as it was employed in the Northern Kingdom. This must also have facilitated unification of relations and procedures between the two states. With this, of necessity, the regnal years of the kings of Judah now came to be reckoned from a New Year's Day in the spring.

The evidence upon which this conclusion rests, based largely upon the synchronisms in the reigns of the two kingdoms recorded in the biblical writings and in Josephus, is not too abundant, and is quite confused and difficult to interpret. But two pieces of evidence, not considered by Vogelstein, tend to corroborate his momentous conclusion.

I have shown elsewhere<sup>320</sup> that Isaiah's consecration vision, recorded in Isa. 6, must have transpired upon the day of the fall equinox, the day of Yahweh's entrance in radiant form into the Temple in order to pronounce judgment upon Judah for the new year just beginning. There is no need to repeat here the chain of argument which establishes this conclusion. The entire vision in all its details is closely bound up with the celebration of the New Year's Day according to the luni-solar calendar upon the day of the fall equinox. But very significantly, nowhere in Isa. 6 is this called the New Year's Day nor is there anywhere

<sup>319</sup> *Jeroboam II*, 8 ff.

<sup>320</sup> "The Book of the Covenant," I, 42-49.



in the text the slightest intimation that it was observed as such. None the less the characteristic phenomena of the luni-solar New Year's Day, the Deity's entrance, in fiery form, into the Temple and His sitting there enthroned, while He holds court in the midst of His heavenly host and pronounces judgment for the year upon Judah, and perhaps the neighboring nations as well, are all present in the vision.<sup>321</sup> That this was the traditional equinoctial New Year's Day can scarcely be denied. It is almost inconceivable that, had this day been observed as the New Year's Day in Judah at just this time, some reference to it by this name would not have been made in the text. Therefore the absence here of all specific reference to the New Year's Day can mean only that at just this time, i. e. in the year in which King Uzziah died, this day was no longer celebrated in Judah and in the Temple at Jerusalem as the official New Year's Day, although the old, equinoctial rites in all other details were still performed. Apparently the use of the pentecontad calendar as the official calendar in Judah<sup>322</sup> continued through the reigns of Amaziah and Uzziah, down at least to the day of the latter's death, and, quite probably, as we shall see, even somewhat longer.<sup>323</sup>

<sup>321</sup> Cf. "The Mythological Background of Psalm 82," 40-59; cf. below, note 323.

<sup>322</sup> However, since, as we have learned, this calendar had been imposed upon Judah by Joash of Israel, its conqueror, as one of the tokens of Judah's vassalage to him, it is not at all surprising that this condition should not have vitally affected the Temple cult, and that therefore festal rites, institutions and superstitions should have continued throughout this period to be observed in the Temple with very little modification.

This will explain, therefore, why, even though during the long reign of Uzziah the official New Year's Day no longer fell upon the day of the fall equinox, none the less that king could and did function at the all-important ceremony of the coming of the first rays of the rising sun into the Temple upon this equinoctial day; cf. "Amos Studies," II, 1-20.

<sup>323</sup> A comparable situation seems to have existed in the Northern Kingdom at about the same time. There can be no question that Amos delivered his memorable address at the Northern royal sanctuary at Bethel on the day of the fall equinox, the day which, under the conditions of the luni-solar calendar, would have been observed as the New Year's Day, the day upon which the all-important rite of the coming of the first rays of the rising sun into the temple through the open eastern gate was celebrated, the rite upon the proper

This conclusion finds further confirmation in the account of Ahaz' new altar, recorded in 2 Ki. 16.10-16. This new altar was made after the pattern of an altar which Ahaz had seen in Damascus, when he went thither to establish relations of vassalage with Tiglath-Pileser of Assyria. At the king's command, and under the supervision of Uriah, the chief priest of the Jerusalem

performance and fulfilment of which the fortunes of the nation for the new year just beginning were thought to depend, as we have said so often. Without this assumption the role of the Day of Yahweh idea in Amos' address (5.18, 20), that it would be a day of darkness and not of light, a day which augured, not the triumphant fortunes of the nation, but rather its utter doom, would be completely pointless. Seemingly, in the Northern Kingdom also the day of the fall equinox was celebrated as a religious occasion of prime importance, even though, at the time of Jeroboam II, not as the New Year's Day, and the streaming of the first rays of the rising sun upon this day into the royal sanctuary at Bethel, just as into the Temple at Jerusalem, was thought to determine the fortune or fate of the nation for the entire year. In all likelihood this ceremony had survived from the relatively brief period of the reigns of Omri and Ahab, when, as we have seen, the luni-solar calendar was employed in the Northern Kingdom as well as in its Southern neighbor.

Confirmation of this last statement may be found in the vision of Micaiah b. Yimlah, recorded in 1 Ki. 22.19-23. I have shown ("The Mythological Background of Psalm 82," 40-59) that this vision, precisely like that of Isaiah (Isa. 6) and Zechariah (Zech. 3.1-8a) and also like the scene depicted in Job 1-2, portrayed Yahweh, surrounded by His heavenly host, sitting enthroned as divine king and pronouncing judgment upon the fall equinoctial New Year's Day, the traditional *יום הדין*, "the Day of Judgment." In this particular case it is Ahab and Israel who are being judged by the divine court, and the judgment is one of guilt and doom for the king and a pronouncement of impending misfortune for the nation. The vision concerns Ahab specifically and the message is directed to him personally, as the suffixes of the second person singular in v. 23 indicate. But the entire vision would have had no reality and compelling import for Ahab, had not he as well as Micaiah, a Northern prophet be it noted in passing, been thoroughly familiar with the entire institution of the coming of "the radiance of Yahweh" upon the fall equinoctial New Year's Day and with the ritual of the day associated with it and the various beliefs which were linked therewith. This can mean, in turn, only that the entire tradition and ritual must have been current at the time in the Northern Kingdom, and that accordingly the luni-solar calendar was employed in Israel at the time of Ahab's death in 853 B. C., and must have been employed there already for some time, i. e. throughout the entire reign of Ahab at least, if not also, as seems most probable, through that of his father, Omri.

Temple, the new altar was made and set up in the Temple on the exact spot where the large brazen altar had stood previously. This latter altar was not removed from the Temple. Rather it was shifted from its original position, just in front of the Temple structure proper, and was set at the north side of the new altar, which replaced it. Upon this older altar the regular sacrifices, those offered daily and those for special occasions, even the regular sacrifices of, or on behalf of, the king, continued to be offered by the priests and in the old, established manner. The new altar, standing on the precise spot where the large altar had stood previously, was reserved for the priestly functioning of the king alone, and apparently for a particular ceremony or ritual act designated by the peculiar term, *בִּקְר*. In this setting, and bearing in mind (a) that this new altar, the presence of which in the Temple and its precise position and proper use the king obviously regarded as matters of major importance, would naturally have been dedicated and employed for its first regular service upon the New Year's Day, and (b) that the king himself, in his role as supreme priest of the nation,<sup>324</sup> functioned in this particular ceremony,<sup>325</sup> and (c) that the king commanded that this altar

<sup>324</sup> For the role of the king as the supreme priestly authority and functionary during the entire period of the kingdom, cf. "A Chapter in the History of the High-Priesthood," 5-13.

<sup>325</sup> Vv. 12-13. Note that this is precisely the same ceremony, and is described in almost the same technical language, as that performed by Jerobeam I upon the altar at Bethel, in 1 Ki. 12.32-33; and, as we have shown ("Amos Studies," II, 20-34), that ceremony was, in the thought of the post-exilic Deuteronomic authors of the narrative, the climactic element of the ritual of the New Year's Day of the luni-solar calendar upon the day of the fall equinox. Note, too, that the procedure of Aaron, and also the language describing it, recorded in Lev. 9.16-23, including even his descent from the altar, to which he must therefore have previously ascended, are practically identical with the corresponding elements of both the Jerobeam and Ahaz narratives; and, as we have shown elsewhere ("A Chapter in the History of the High-Priesthood," 14-19; note the references to earlier writings dealing with this same theme there cited), Lev. 9.1-10.7 records the procedure, as envisaged by its priestly authors, at the dedication of the tabernacle in the wilderness and the consecration of Aaron and his sons as priests upon the New Year's Day at the fall equinox, in connection with the rite of the coming of "the radiance of Yahweh" into the sanctuary. And just as both this occasion

was to be reserved for priestly ministration by himself alone, that no other priest, not even the chief priest of the Temple, was to officiate at it ever, it is impossible not to conclude that the obviously technical term, *בִּקְר*, must be coordinated with *בִּקְר*, "dawn, morning," and that it designated the particular ceremony which the king, in his role as the chief ecclesiastical functionary of the nation, regularly performed at this altar in connection with the coming of the first rays of the rising sun just after dawn on the day of the fall equinox, the New Year's Day of the luni-solar calendar. Ahaz was insistent upon the precise location of the new altar for the cogent reason that this altar had to stand necessarily at the exact spot in front of the door of the Temple where the first rays of the rising sun upon the equinoctial New Year's day would fall at the proper moment in the ceremony.<sup>326</sup>

and that of the Jerobeam narrative were ceremonies of dedication of the altar, so also must Ahaz' procedure have been connected with the dedication of his new altar, solemnized upon the fall equinoctial New Year's Day and in connection with the ceremony of the entrance of the first rays of the rising sun into the Temple through the open eastern gate, the coming of "the radiance of Yahweh."

<sup>326</sup> It should be noted that this altar was set up in the courtyard just before the Temple building proper at its eastern front. This was the precise spot where Solomon, too, had offered his sacrifice, after consecrating "the center of the courtyard, which was in front of the house of Yahweh," at the dedication of the Temple (1 Ki. 8.62-64). It was upon this altar that at this moment the fire descended from heaven, kindled the new flame upon the altar and consumed the sacrifice, so that the Temple was filled with "the radiance of Yahweh" (2 Chron. 7.1; this statement has, quite characteristically, been removed from 1 Ki. 8.10 by late P editors; cf. "The Three Calendars of Ancient Israel," 46, note 44). It is clear therefore that this altar had to stand at the precise spot in the eastern courtyard, just in front of the door of the Temple building proper, on the exact line which the first rays of the rising sun upon just this day would follow, as they passed through the open eastern gate, then across this altar, and then onward, between the two pillars, through the open door of the Temple, into the body of the sanctuary proper, and straight down its long axis into the *dēbir* at its far western end (cf. "The Gates of Righteousness," 31-37). It is this last stage of this ritual procedure which is meant by the statement in 1 Ki. 8.10, that the cloud (which normally enveloped "the radiance of Yahweh," according to the concept of the late P Code; cf. Ex. 40.34-38; Num. 9.15-23, and "Biblical Theophanies," ZA, XXV [1911], 144-153) filled the house of Yahweh, and by the older, unedited,

All this can have only one meaning, viz. that Ahaz revived the luni-solar calendar in Judah and with it, of course, the celebration of the New Year's Day upon the day of the fall equinox, and the practice of reckoning the regnal years of the kings of Judah from that day. And this can mean, in turn, only that the luni-solar calendar had been suspended in Judah in the period immediately preceding the reign of Ahaz, i. e. at least during the reigns of Uzziah and Jotham. During this period the pentecontad calendar must have been employed in Judah, just as it was in Israel, probably, as has been suggested by Vogelstein, as one detail of the vassalage of Judah to Israel following the Battle of Beth Shemesh.<sup>327</sup>

and so fuller, statement of 2 Chron. 7.1, that immediately after the descent of the fire from heaven upon the altar, which stood in the courtyard, "the radiance of Yahweh" filled the house.

We can understand fully, in the light of these considerations, Ahaz' solicitude that this new altar, designed to supplant the old, brazen altar, should stand at precisely the right spot, so that the first rays of the rising sun upon the New Year's Day at the fall equinox might fall upon it in the proper manner and achieve the desired result, viz. the kindling of the new sacred fire upon the altar, and with this inaugurate the new year for the nation according to the now revived luni-solar calendar.

<sup>327</sup> This procedure upon Ahaz' part at just this moment, following shortly upon his return from Damascus, when he had submitted himself as vassal to Tiglath-Pileser III, and in return had naturally received assurance of Assyrian protection against Israel and Syria, had obviously political as well as religious significance. For the rejection of the pentecontad and the revival of the luni-solar calendar by Ahaz could mean only that he was repudiating the vassalage of Judah to Israel, imposed upon the Southern Kingdom after the Battle of Beth Shemesh, and was declaring Judah's political independence, at least so far as Israel was concerned.

Obviously then, the invasion of Judah and the siege of Jerusalem by Rezin of Aram and Pekah of Israel at the end of the reign of Jotham (2 Ki. 15.37 f.) and early in the reign of Ahaz (2 Ki. 16.7; Isa. 7.1-2) must have been primarily in order to reestablish the vassalage of Judah to Israel and to dissociate Judah from Assyria, in anticipation of what must at this time have been apparent to all, the inevitable war of defense which the various little states of Western Asia, surviving from earlier Assyrian aggression, would very soon be compelled to wage against the manifest plans of Tiglath-Pileser III to revive the old Assyrian program and conquer all of Western Asia and eventually Egypt as well. Quite patently, their plan was to repeat



Accordingly during the reign of Ahaz and probably also during the early years of Hezekiah the luni-solar calendar, after the pattern which had obtained at least since the days of Asa, was in vogue once again in Judah, and with this the solar rites, and particularly those associated with the coming into the Temple of the first rays of the rising sun upon the fall equinoctial New Year's Day, flourished anew in the Southern Kingdom; and once again the regnal years of the kings of Judah were reckoned from a New Year's Day upon the day of the fall equinox.

## E

### THE DEUTERONOMIC CALENDAR

But during the reign of Hezekiah a significant change took place both in the calendar system employed in Judah and consequently also in the manner of reckoning Hezekiah's regnal years. Vogelstein has established this fact upon evidence which, though mini-

the procedure which had operated so successfully in 853 B. C. against Shalmaneser III, viz. unified resistance by a coalition of all the important West Asiatic states to the Assyrian advance. Once again, just as then, the kings of Aram and Israel seem to have taken the lead in organizing this coalition and in formulating the plan of resistance. But conditions were vastly different now from then. Hamath was no longer able to join the coalition and contribute a large quota to the federated army, as it had done in 853 B. C. (cf. Amos 6.2). Now, if Judah, small and weak though it was, should withhold itself from the coalition, and even, as a faithful vassal of Tiglath-Pileser, serve as a potential source of attack from their rear, there was little or no chance of success for their plan. Quite clearly their first step therefore had to be the reconquest of Judah, and that, too, very promptly, before Tiglath-Pileser could begin to press his campaign against them; therefore the invasion of Judah by Israel and Aram together immediately after Ahaz' accession to the throne as regent, but apparently while Jotham was still alive (cf. Vogelstein, *Biblical Chronology*, I, 21; also 2 Ki. 15.30, 33; 17.1). Therefore, too, Ahaz' obstinate refusal to give heed to Isaiah's counsel (Isa. 7.1-9). He must have been already too completely committed to Tiglath-Pileser III to now suddenly alter his national policy at the mere urging of a young, hardly known prophet, whose authority as spokesman of Yahweh was still open to challenge.



mal in extent, is none the less decisive in implication.<sup>328</sup> He has shown that in the year 714 B. C. Hezekiah carried out his program of purification of the Temple and celebration of the Passover, the details of which are recorded in 2 Chron. 29, and that with this he inaugurated a calendar reform which brought about the reckoning of the years of his reign from a New Year's Day in the spring. Even more than this, this event marked the beginning of a new era and a new system of time-reckoning in Judah, with the result that this year, inaugurated by Hezekiah's purification of the Temple and celebration of the Passover in a unique manner,<sup>329</sup> despite the fact that he had been on the throne already for fifteen years, is, in the new system of reckoning, counted as his first year.

It is beyond all question that this purification of the Temple by Hezekiah was but a part of the program of the religious reformation which this pious king instituted. The record, brief in extent but rich in implication, is preserved in 2 Ki. 18.3-5 and 2 Chron. 31.1. Undoubtedly this reformation was instigated by the prophets of the day, to whose influence and counsel Hezekiah, like his ancestors, Asa and Jehosaphat, and his great-grandson, Josiah, seems to have been particularly amenable. For the very first time, in their appraisal of the merits of the kings of Judah, the Deuteronomic authors or compilers of the Books of Kings do not qualify their judgment upon the king by the statement that nevertheless, despite the particular king's loyalty to Yahweh, the high places were not removed but continued to flourish throughout the land. On the contrary, for the first time the record states plainly that the high places were removed, their cult-images were shattered and their sacred trees or groves were cut down and their altars were dismembered. Only one recognized sanctuary of Yahweh was left in the land, viz. the Temple at Jerusalem. Moreover, this great, national sanctuary was purged of all uncleanness and defilement.

One of the idolatrous rites which, according to 2 Chron. 29.6-7 disturbed the pious king exceedingly, and which his reformation

<sup>328</sup> *Biblical Chronology*, I, 4-8. However, not quite all the conclusions which Vogelstein draws from his major thesis are valid.

<sup>329</sup> Cf. 2 Chron. 30.26; cf. also 35.18.

was intended to terminate, was that in which the people turned their backs upon the Temple and their faces away from it, while at the same time the doors of the porch, leading into the Temple building, were closed and all lights were extinguished. This is the very ceremony recorded in Ezek. 8.16 and denounced so scathingly by that prophet as a most objectionable, non-Yahwistic, idolatrous rite.<sup>330</sup> It consisted of the gathering of the people in the eastern courtyard of the Temple, gazing eagerly eastward, awaiting the solemn opening of the eastern gate, and then the coming of the first rays of the rising sun and the kindling of the new, sacred flame upon the altar.<sup>331</sup> The clear implication is that this particular ceremony was terminated and formally abrogated by Hezekiah's reform. But inasmuch as, as we have seen, this was the all-essential rite in the celebration of the New Year's Day upon the day of the fall equinox, this can mean only that Hezekiah's reform not only terminated this unique ceremony but also abrogated the luni-solar calendar in Judah, and, in turn, inaugurated a new calendar. But here it must be realized clearly that, for the first time in Israel's history, this does not mean necessarily that the true pentecontad calendar was revived anew to supersede the luni-solar calendar.

There is every reason to believe that this reformation inaugurated by Hezekiah was the Deuteronomic reformation, whose platform was formulated clearly in the original nucleus of the Deuteronomic Code.<sup>332</sup> In Deut. 16.1-17 we find the legislation

<sup>330</sup> Cf. "The Gates of Righteousness," 31, 33 f.

<sup>331</sup> Of this ceremony in its full detail and its far-reaching implications, particularly of the extinction of the old fire upon the Temple altar and of the fires in the homes throughout the land, and the kindling of the new fire upon the altar from the first rays of the rising sun upon the fall equinoctial New Year's Day, and from this the carrying of the new fire into all the homes and the kindling there of the new hearth-fires, I have treated minutely in the still incomplete and unpublished study, "The Fire upon the Altar." This same ceremony is referred to, in rather vague and uncertain manner, in Mal. 1.10.

<sup>332</sup> This was not at all the entire book of Deuteronomy, nor even the whole of Chapters 12-28, as is not infrequently assumed. The nucleus of the Deuteronomic Code is found in chapters 12-19; 28, and consists, roughly speaking, of approximately one half of the present content of these chapters.

for the three annual festivals, Pesach, Katsir<sup>333</sup> and Asif. The old Matzot Festival of the pentecontad calendar is here reduced to a secondary position and made subordinate to and an appendage of the Passover. However, these two festivals are not yet completely amalgamated in the Deuteronomic Code. That process developed only some three centuries or more after the promulgation of this Code, and only after the manner of reckoning the day had been changed from the original from morning to morning to from evening to evening, at some time in the fourth century B. C.<sup>334</sup> In the Deuteronomic Code the two festivals are kept clearly separate, but are coordinated in that the Matzot Festival is made to begin on the morning following the celebration of the Passover and to continue for the traditional seven days. This means that the Matzot Festival was celebrated during the seven days immediately following the Passover, since in the Deuteronomic period the day was still reckoned from morning to morning.

The Passover itself, a festival of desert, pastoral origin, always celebrated during a single night, was observed, according to the Deuteronomic legislation on the night of the new moon of the ripening grain.<sup>335</sup> In linking it so closely with the Matzot Festival

<sup>333</sup> For the reasons for believing that either *הקציר* or *הבכורים*, the two ancient names of the festival, stood originally in 16.10, and that the present *שבועות* is the result of post-Ezranic editing, cf. "Supplementary Studies in the Calendars of Ancient Israel," 47 ff., 73, note 111; cf. below, note 362.

<sup>334</sup> *Op. cit.*, 15-28, and Pt. I of this study (*HUCA*, XX [1947]), 34-40.

<sup>335</sup> The suggestion that *חדש* in Deut. 16.1 means, not "month," but "new moon" was made to me first by Dr. K. Kohler almost forty years ago. It is surprising that this has not been generally perceived and accepted by scholars. But the impossible and ridiculous translation, "month," still persists in the work of practically all modern scholars. Certainly the command here cannot be to observe the entire month of Abib (assuming that Abib was actually an ancient Israelite month-name; cf. "The Three Calendars of Ancient Israel," 16), for the passage states explicitly that only the night of the Passover plus the seven immediately ensuing days of the Matzot Festival are to be kept sacred, and there is no implication anywhere that the remainder of the month has the slightest particular sanctity. Moreover, this passage, as well as Ex. 23.15; 34.18 specify that the festival was to be observed at the exact time of the exodus from Egypt, and this could hardly imply that this extended over an entire month. Nor was, nor could, the festival have been celebrated

the Deuteronomic reformers made it the dominating element. Undoubtedly here the prophets who sponsored this reformation were harking back to true desert origins and concepts of Yahweh and of His earliest manner of worship. Undoubtedly, too, in thus setting the celebration of the Passover for the night of the new moon immediately preceding the beginning of the grain harvest, or, what amounts to the same thing and probably reflects the ancient custom more precisely, the night of the new moon immediately following the spring equinox, they were reinstituting the original Israelite practice out in the desert.<sup>336</sup>

Their actual and very realistic procedure is perfectly clear. By making the Matzot Festival an appendage to the Passover and having it begin on the morning immediately following the new moon which preceded the grain harvest they must have

throughout the entire month. Furthermore, Ex. 13.3-4 states explicitly that *בחדש האביב* designates, not the month, but the precise time of the exodus, while the term, *למועד חדש האביב*, in Ex. 23.15; 34.18 means "at the exact time of the *חדש האביב* (for *מועד* with this specific connotation cf. Gen. 18.14; 21.2; Deut. 16.6), i. e. therefore "of the new moon of Abib." And finally, it must be borne in mind that Deut. 16.1 emphasizes that the exodus from Egypt took place at night, i. e. during the night of the new moon of Abib. In the light of all this evidence that *חדש האביב* designates a precise time and not an entire month, there can no longer be any question that it must be translated, "the new moon of Abib" or "the new moon of the ripening grain."

<sup>336</sup> This does not mean, of course, that out in the desert, in the pre-Canaanite period, the Passover was deliberately set by the early Israelites on the night of the new moon preceding the beginning of the grain harvest or of the new moon immediately following the spring equinox, for, of course, these primitive nomads had little knowledge and certainly took no cognizance of these two significant moments of the agricultural year. Just how they determined the proper new moon night for the observance of their shepherd festival we have no way of knowing, other than that it bore a distinct relationship to the birth of their sheep and goats and probably also to the close of the rainy season. But that it was this particular new moon night which chanced to coincide, as they learned after their settlement in Palestine, with that which immediately preceded the beginning of the grain harvest and which likewise followed closely upon the spring equinox, we may be certain. This entire question of the origin and primary significance of the Passover I have treated in a work still unpublished, *Rites of Birth, Marriage, Death and Kindred Occasions among the Semites*. I hope to have this work ready for publication in the not too distant future.

moved the Matzot Festival forward from the original moment of its celebration by a space of time which may in some years and some localities have amounted to as much as two or more weeks. By this procedure they not only divorced the Matzot Festival completely from any connection with the spring equinox, but also at the same time from all connection with the state of the crop and the beginning of the grain harvest. This is evidenced particularly by Deut. 16.9 f., where the Katsir Festival is no longer reckoned as on the fiftieth day following the close of the Matzot Festival, as, as we have learned, it must have been reckoned in the old pentecontad calendar.<sup>337</sup>

That they must have had a definite purpose in this shifting of the Matzot Festival from the time of its former celebration is evidenced further by the fact that the Deuteronomic Code provides for the celebration of the Katsir and Asif Festivals likewise. It sets these festivals, by specific command, at the precise moments when they were celebrated in the ancient, pentecontad calendar, the Katsir Festival on the fiftieth day after "the day of putting the sickle to the standing grain" i. e. on the fiftieth day after the beginning of the grain harvest, in other words on the closing day, the עֲצֵרָה, of the "fifty" of the grain harvest, and the Asif Festival at the time of gathering in the produce of the threshing-floor and the winepress, i. e. at the close of the complete harvest season. By this latter procedure these Deuteronomic reformers did also for the Asif Festival what they had done for the Matzot Festival, viz. separated it from all connection with the fall equinox and the religious celebration of this festal occa-

<sup>337</sup> Actually it is there reckoned from "the day of putting the sickle to the standing grain," the day when the first sheaf of the new crop was cut and the grain harvest was regularly begun. But in the pentecontad calendar this was always the day immediately following the seven days *šapattum* of the Matzot Festival. Now, with the moving of this festival forward to its new date, the seven days immediately following the new moon of Abib, all connection between the Matzot Festival and "the day of putting the sickle to the standing grain" was broken. But, of course, "the day of putting the sickle to the standing grain," dependent necessarily entirely upon the state of the crop and nothing else, continued to determine the proper moment for beginning the grain harvest and the inauguration of the "fifty" which culminated in the celebration of the Katsir Festival.



sion; for thus they made the time of the celebration of this festival dependent, not upon the fall equinox, but solely upon the state of the crop and the consequent end of the successive harvest operations, precisely as it must have been in the pentecontad calendar.

It is clear from all this that what these Deuteronomic reformers actually accomplished with their festival legislation was to completely abrogate the luni-solar calendar, as it must have been observed during the reign of Ahaz, and to revive the old pentecontad calendar, with its cycle of agricultural festivals. They introduced, however, one very significant modification, viz. the transfer of the Matzot Festival away from its connection with the day of the spring equinox, but not at all back to the precise moment at which it was celebrated in the true pentecontad calendar, viz. the seven days immediately preceding the cutting of the first sheaf of the new grain, but rather to a moment beginning on the morning immediately following the new moon of the ripening grain. Apparently in so doing these reformers had a double purpose, viz. both to divorce the Matzot Festival, as well as the Asif Festival, from all connection with the two equinoctial days, which, as we have seen, was the practice under the luni-solar calendar, and also to give to this particular festival something of a desert, pastoral character, to suggest, as it were, that the Matzot Festival, as well as the Passover, had been an institution of the most ancient worship of Yahweh by Israel in its earliest, pre-Canaanite, desert period.<sup>338</sup> Manifestly the desert principle, viz. the affirmation that Yahweh was primarily a desert deity and that the period of Israel's sojourn in the desert, before its entrance into Palestine, was when it had maintained the purest and most proper relations with Him and had worshiped Him most truly and in close accord with His real wishes,

<sup>338</sup> It may well have been at this time, either in the reign of Hezekiah or else in that of Josiah, but more probably in the former, that the tradition recorded in Ex. 12.34 and 39 (cf. additional Note F) evolved, viz. that the Israelites were driven from Egypt in such haste that they had to carry their unleavened dough with them and eventually eat it in the form of unleavened cakes or matzot; therefore the connection of the matzot with the exodus from Egypt and the giving to the Matzot Festival a historical setting in this event.



first formulated definitely by Hosea, but implicit already in the prophetic program of Elijah,<sup>339</sup> was making headway in prophetic thinking and becoming a guiding principle in shaping the practical prophetic program.<sup>340</sup> But with this shift of the Matzot Festival to a new, and hitherto unknown moment of celebration, what these prophetic, Deuteronomic reformers had achieved basically and practically was a complete abrogation of the luni-solar calendar and once again a revival of the pentecontad calendar, even though in a somewhat modified form.

But, realizing this, the question naturally arises, when, under this modified, Deuteronomic form of the pentecontad calendar, was the New Year's Day celebrated and the reckoning of the official year begun? It is significant that Deut. 16 in its present text makes not the slightest mention of any New Year's Day

<sup>339</sup> Cf. "Amos Studies," III, 167-194.

<sup>340</sup> By their prescribing so pointedly that the Passover itself, apart from the immediately following Matzot Festival, must be celebrated at the central sanctuary and nowhere else, and particularly that it might under no condition be celebrated at home (Deut. 16.5 f.), these Deuteronomic reformers not only attested that this home ceremony must have been the original manner of celebrating this festival, but also that they were deliberately abrogating this practice. Their primary purpose in so doing must have been to put an end to various, peculiar Passover rites, and particularly to the sacrifice of the Paschal lamb at home and the smearing of its blood upon the doorposts, lintel and threshold. Apparently they were more or less aware that this rite, and with it the Paschal sacrifice itself, had originally been performed in the cult of the spirits of the dead. (This fact I have established clearly in the aforementioned detailed treatment of the origins of the Passover, in *Rites of Birth, Marriage, Death and Kindred Occasions among the Semites*). By prescribing that the Paschal sacrifice could be offered only at the central sanctuary, they not only put an end completely, as they thought, to this sacrificial procedure and to its being performed away from the central sanctuary, and particularly to this most objectionable, non-Yahwistic rite of smearing the blood of the Paschal sacrifice upon the door of the home, but they also gave concrete and realistic expression to the principle that this Paschal sacrifice was henceforth to be offered, no longer to the spirits of the dead, but only to Yahweh alone. It is obvious from this that these Deuteronomic reformers must have been very practical persons and that they must have cherished and carried into effect a large variety of purposes in their reorganization of the calendar, all, however, directed to the one, general aim of purging the cult of Yahweh of all that they regarded, very properly, as objectionable, non-Yahwistic, idolatrous practices.

festival nor of a precise moment of beginning the calendar year; yet this particular matter is of such importance in any practical calendar that it is impossible to believe that it must not have been dealt with in some way in the original formulation of this Deuteronomic calendar. In view of still later and far more drastic revisions of the calendar, especially by priestly reformers in the fifth and fourth centuries B. C.,<sup>341</sup> and especially of their shifting of the date of the New Year's Day from VII/10 to VII/1, we can readily understand that the original Deuteronomic legislation for the New Year's Day was suppressed by them and has been lost. We can restore it only by conjecture.

Certainly one thing is clear, that in this Deuteronomic calendar the New Year's Day was no longer celebrated in the fall, and least of all upon the day of the fall equinox. That was one of the institutions of the luni-solar calendar which, quite manifestly, these reformers were most eager to abolish. The very fact that in the main they revived the old, pentecontad calendar, suggests very strongly that they fixed the New Year's Day of their calendar in the early spring. And the extreme importance which they attached to the Passover suggests further that they made the day of the Passover Festival, the day upon the night of which the new moon Passover Festival was celebrated, i. e. the day which preceded the beginning of the Matzot Festival, their New Year's Day.

This conclusion is corroborated by a number of considerations. In the first place the fact that the Deuteronomic legislation provides for the presence, in theory at least, of every male Israelite at the central sanctuary upon the day of the Passover Festival, but permits him to return to his home on the very next morning, even though this was the moment of the beginning of the Matzot Festival proper, evidences that in the program of these reformers this one day had preponderant significance, was singled out as, in one particular respect, the most important day of the year. In the second place, the role which, according to 2 Chron. 29.1-31.1, Hezekiah assigned to the Passover in his program of purification of the Temple, reorganization of its cult

<sup>341</sup> Cf. "Supplementary Studies in the Calendars of Ancient Israel," 72-108.

and destruction of the local shrines, suggests very strongly that he attributed to this festival, and especially to the particular Passover upon which his reform program was inaugurated, extraordinary character.

A similar conclusion applies to the Passover celebration of Josiah recorded in 2 Ki. 23 and 2 Chron. 35. It must have been in the Temple and in connection with the celebration of this festival that Josiah solemnized the new covenant between Yahweh and Israel and inaugurated the Deuteronomic Code as the law of the land. This event, precisely like Hezekiah's procedure on the same occasion almost a century earlier, marked the beginning of a new era in the relations between Yahweh and His people and in the life of the nation. And what moment more appropriate for the solemnization of a covenant with such a purpose than the New Year's Day?

And still one other very significant piece of evidence. As I have shown elsewhere,<sup>342</sup> with the Deuteronomic reformation a new calendar<sup>343</sup> was instituted in Judah, in which the months were no longer called by their old, Phoenician names, but were instead designated by ordinal numerals, first month, second month and so on through the twelfth month. These months were reckoned from the spring. And, as the consistent use of the term, *חדש*, rather than *ירח*,<sup>344</sup> implies, the months of this calendar were strictly lunar months, reckoned from new moon to new moon.<sup>345</sup> Accordingly the first month of this calendar must have

<sup>342</sup> "The Three Calendars of Ancient Israel," 16-18.

<sup>343</sup> Which I there designated as Calendar II, but which, it is now clear, was merely the old pentecontad calendar in its modified, Deuteronomic form, revived and reintroduced as the official calendar of the land.

<sup>344</sup> In all biblical writings earlier than Jeremiah the concept, "month," is designated regularly by *ירח*, just as also in Phoenician inscriptions (cf. König, in *ZDMG*, 60 [1906], 617) and in the Gezer calendar. In this pre-Jeremianic literature *חדש* means only "new moon," except in the expression, *חדש ימים* (Gen. 29.14; Num. 11.20, 21), literally "a (new) moon of days," i. e. a lunar month. However, in this same literature the plural, *חדשים*, is used frequently with the connotation, "months," to designate duration of time (Gen. 38.24; Jud. 11.37, 38, 39; 20.47; 1 Sam. 6.1; 27.7; Amos 4.7).

<sup>345</sup> We do not know with certainty just how the months of the luni-solar calendar, the months designated by the old Phoenician names, *Ziv*, 'Etanim,

begun at a new moon in the early spring; and this could have been only that same new moon which marked the celebration of the Passover Festival. It is reasonable to suppose that the first day of the first month, i. e. I/1, marked, in turn, the beginning of the new year, and therefore must have been celebrated as the New Year's Day.<sup>346</sup>

All this evidence establishes with reasonable certainty that in the Deuteronomic calendar, inaugurated by Hezekiah, the day of the Passover, viz. I/1, was regarded likewise as the New Year's Day.<sup>347</sup>

It is clear from all this that the Deuteronomic reformers revived the old pentecontad calendar, but with two significant modifications, (a) the shifting of the Matzot Festival both from

Bul, etc. (cf. "The Three Calendars of Ancient Israel," 16), were reckoned, whether they were true lunar months or solar months, i. e. represented the division of the solar year into twelve sections, each probably of thirty days, with five or six additional days, which fell in some way outside the reckoning of the months. However, for ח' consisting of thirty days cf. "Supplementary Studies in the Calendars of Ancient Israel," 72, note 109.

<sup>346</sup> It may well be that Ex. 12.1, undoubtedly a very late passage, probably of P2 authorship, which, by implication, seems to set the New Year's Day upon I/1 (cf. "Supplementary Studies in the Calendars of Ancient Israel," 89 ff.), merely reinstituted the New Year's Day of the older, Deuteronomic calendar. This was the case also with that late, secondary stratum of the Priestly Code, to which Ex. 12.1 may well belong, which set the dedication of the tabernacle in the wilderness and also the dedication of the post-exilic Temple by Ezra upon I/1 (*ibid.*); for certainly it is implied that these sanctuary dedications, too, took place upon the New Year's Day. It is noteworthy in this connection that still today the Falashas celebrate the New Year's Day at Passover (Ratjens, *Die Juden in Abyssinien*, 76; cf. "Additional Notes on the Three Calendars of Ancient Israel," 77-79). The tradition persisted long in Israel, well into rabbinic times, that a New Year's Day at least fell upon I/1 (cf. "The New Year of Kings").

<sup>347</sup> This evidence suggests also that I/1 became the New Year's Day in this Deuteronomic calendar, not as the result of Assyro-Babylonian cultural influence, but altogether as the outgrowth of native, Canaanite-Israelite origins and as the result of internal turmoil and of religious reaction and reformation. This calendar reform obviously marked the beginning and the basis of the tendency, constantly recurring in post-exilic Israel, to set the New Year's Day, or at least a New Year's Day, upon I/1 (cf. "Supplementary Studies in the Calendars of Ancient Israel," 81 ff.; "The New Year of Kings").

its connection with the spring equinox to the seven days immediately following the Passover-new moon day and also from its primary connection with the state of the crops and the cutting of the first sheaf of the new grain, and (b) the inauguration of a calendar system of lunar months, designated by number, and with I/1, the day of the Passover-New Moon Festival observed as the New Year's Day. The inauguration of this new calendar took place at about the middle of Hezekiah's reign, quite probably in 714 B. C., as Vogelstein contends. And, altogether naturally, with it a new era of time-reckoning was begun in Judah, and, with this, a new point of departure in reckoning the regnal years of Hezekiah was established.

But this innovation was short-lived. With the accession to the throne of Menasseh, the son of Hezekiah, the Deuteronomic reformation, inaugurated by his father, was repudiated completely, and the old religious order, current in the days of Ahaz, was revived in all its details. According to 2 Ki. 21.2-7 Menasseh seems to have surpassed all the kings of Judah who preceded him in the introduction of non-Yahwistic institutions and ceremonies into the religious practice of Judah and even into the Temple cult. The local sanctuaries throughout the land, which Hezekiah had abrogated, were restored and their indigenous cults were revived. Altars were again erected to the Phoenician deities, after the manner in which these gods had been worshiped in Israel in the days of Ahab. Altars were likewise erected, even in the Temple courts, in honor of "the host of heaven." In this Menasseh followed precisely the procedure of his grandfather, Ahaz. These altars, as well as those erected in honor of the same group of divinities throughout the land, i. e., of course, in the streets of the cities and towns of Judah, must have been employed in the kindling of fires upon the fall equinoctial New Year's Day, the very ceremony later denounced by Jeremiah.<sup>348</sup> The altars in the Temple courts must have been used in some secondary manner, particularly in the ceremony of the coming of the first rays of the rising sun through the open eastern gate upon this same New Year's Day. From all

<sup>348</sup> Cf. 2 Kings 23.5.



this it is clear that, together with other religious institutions, Menasseh repudiated and abrogated completely the calendar which Hezekiah had introduced and revived the old luni-solar calendar,<sup>349</sup> as it had been observed in the days of Asa and Jehosaphat and of his own grandfather, Ahaz, or even the more extreme form in which this calendar had been observed during the reign of Solomon. And, as 2 Ki. 21.20 states succinctly, his son, Amon, during his short reign, continued without change the policies and program of his father.<sup>350</sup> This condition persisted well into the reign of Amon's son, Josiah.

In the eighteenth year of Josiah, however, occurred that great reformation which is generally termed the Deuteronomic Reformation, because it is manifestly based upon the principles and program of what is represented as the only true Yahweh-worship, which are set forth in the original nucleus of Deuteronomy.<sup>351</sup> There is every reason to accept literally, as historical

<sup>349</sup> So also Vogelstein, *Biblical Chronology*, I, 7.

<sup>350</sup> The tradition recorded in 2 Chron. 33.10-19, of Menasseh's repentance after the period of his Assyrian captivity, and of his consequent removal of all the non-Yahwistic institutions which he had inaugurated, and his whole-hearted return to Yahweh, can have no historical basis whatever. 2 Kings 21 knows absolutely nothing of all this. Moreover, 2 Chron. 33.12 records that Amon continued in the evil ways of Menasseh, his father; and the brief, two years reign of Amon would have been entirely too short for him to have completely repudiated and annulled the true worship of Yahweh throughout the land, which, according to the tradition, Menasseh had revived in the latter part of his reign, and to have restored the corrupt worship with all its countless, non-Yahwistic elements. According to 2 Kings 22-23 and 2 Chron. 34, this form of worship persisted from the reign of Menasseh through that of Amon and into the reign of Josiah, until the latter's eighteenth year. It is difficult to imagine what could have been the basis of the Chronicler's legend of Menasseh's repentance and prayer.

<sup>351</sup> According to 2 Chron. 34.3 ff. the reform began, in principle, in Josiah's eighth year and culminated in his twelfth year. What happened in his eighteenth year, according to 2 Chron. 34.8-35.19, was merely the discovery in the Temple during the course of its repair, of the book of the Law, the celebration of the Passover in accordance with the new program for this, set forth in the book, and the solemnization, as a part of the festal celebration, or perhaps, more exactly, in connection therewith, of the new covenant with Yahweh. It is not at all impossible that something of significance did transpire in Josiah's eighth and again in his twelfth year, anticipatory of, but



fact, the statement, recorded in 2 Ki. 22.8 ff. and 2 Chron. 34.15 ff., regarding the book of the Torah found in the Temple during the course of its being repaired. It is difficult to believe that this record is a fiction and that the scroll had really been composed and planted in the Temple only shortly before its being found and reported to the king's officers by Hilkiah, the chief priest. Had such been the case, we would almost necessarily have to believe that the priests of the Jerusalem Temple had some part in the plot to foist this scroll, with its reform program, upon the king; for it is impossible to imagine that Hilkiah, too, as well as the king, was so credulous as to accept this scroll as an ancient

certainly not, the Deuteronomic Reformation itself, for it is impossible, to conceive of the inauguration and carrying through of this reformation except upon the basis of the principles and program set forth in the nucleus of the Deuteronomic Code; and, as we have just seen, this came to light only in Josiah's eighteenth year. Certainly the solemnization of the covenant with Yahweh upon the Passover in Josiah's eighteenth year was the natural culmination of the reformation program, just as the sealing of a covenant with Yahweh climaxed the reformation in the Southern Kingdom in 899 B.C. (2 Chron. 15.12; cf. "The Book of the Covenant," I, 142, note 177).

The probable sequence of events may well have been as follows: during the considerably more than a half century duration of the reigns of Menasseh and Amon and the first years of Josiah the Temple had undoubtedly been neglected and had therefore fallen into a ruinous state. Extensive repair and rebuilding may have been inaugurated in Josiah's eighth year, and may well have endured over a period of ten years, until his eighteenth year, or even longer. Some particularly significant stage thereof may have been attained in Josiah's twelfth year. But it was only in the eighteenth year that the book of the Law came to light and the reformation was inaugurated. Certainly 2 Kings 22-23 states very clearly that the reformation procedure came immediately after the finding of the book of the Law and was carried out after the pattern impliedly set forth in the book. There is no reason to believe that the reformation might have been inaugurated in Josiah's eighth year but was not concluded until his eighteenth year. It is a much more plausible conjecture that it was the rebuilding and repair of the Temple which required ten years. In this connection it may be noted that Solomon's Temple was seven years in building (cf. 1 Kings 6.1, 38), and certainly that task was carried out with utmost diligence and minimum delay and loss of time. That the repair and rebuilding process in Josiah's day should have proceeded more slowly and so have extended over a period of at least ten years accordingly need not seem surprising.

document, had it not actually been such. He was the first to read and examine the scroll carefully; and it must be assumed that, in his role as chief priest of the national sanctuary, he had to be sufficiently expert in reading and writing to easily detect a forgery in this case; for it is clear that he attached tremendous importance to this writing, and must therefore have examined it himself very carefully.

Still less is it possible to believe that Hilkiah or the Jerusalem priesthood were parties to any such plot, since the carrying out in full of the program embodied in the original nucleus of the Deuteronomic Code would have seriously affected their own interests. For Deut. 18.6-8 provides that the country levitical priests who, after the destruction of the local sanctuaries, might wish to attach themselves in their priestly capacity to the national shrine, should have the privilege of so doing and of enjoying equal rights with the Zadokite priests who had functioned there from the days of Solomon himself. 2 Ki. 23.9 records that these Zadokite priests succeeded in nullifying this particular provision of the Deuteronomic program. Certainly they would not have endorsed from the start, and still less would they have participated in the formulation of, a program and the composition of a book which provided for such an encroachment upon the rights and privileges which they had enjoyed undisturbed for approximately three and one half centuries and which immediately upon, or even in anticipation of, its adoption as the law of the land they had to oppose and have annulled, at least in part.

Even less is it possible to believe that this scroll could have been deposited secretly in the Temple, during the course of its being repaired at this time, by prophetic reformers in such manner that it should come to light at just the opportune moment. The narrative of the finding of the scroll in the Temple must be accepted as historical in all its essential details.

But if this scroll was actually old, had been deposited in the Temple at some moment sufficiently earlier than Josiah's eighteenth year for the memory of that act to be completely forgotten, and for both Hilkiah and the king to believe that a writing of considerable antiquity and unquestionable authority had come

to light, then we must conclude, as other scholars have done previously, that this Deuteronomic scroll had been composed during the reign of Hezekiah, that it had served then as the basis of the reformation during his reign, that it, or at least a copy of it, had been deposited for record or for safekeeping in the Temple either still during Hezekiah's reign, or else early in the reign of Manasseh, after that monarch had begun his counter-reformation, and that it had been forgotten completely during the period of over seventy years at least,<sup>352</sup> during which it had lain concealed in a secret, inaccessible place in the Temple building, and that only now, during the course of the extensive rebuilding of the Temple under Josiah, supervised by the priests, it was discovered by one of the priests and dutifully given over to the chief priest of the sanctuary, who, in turn, very properly transmitted it to the king, precisely as is recorded in 2 Ki. 22.8-14. We have seen that the religious program set forth in the nucleus of the Deuteronomic Code complied just as completely with the conditions and procedures of the reformation in the reign of Hezekiah as it did with those in the reign of Josiah.

From this it follows that for the most part what Josiah actually did, in carrying out the provisions of the original nucleus of the Deuteronomic Code, was to repudiate and annul the procedures of the counter-reformation which had obtained during the reigns of Menasseh and Amon, and to revive the reformation program of Hezekiah. This will explain completely the remarkable sameness of the procedures of Hezekiah and Josiah, even to the detail of the celebration of the Passover and the solemnization upon it of the renewal of the covenant with Yahweh, as recorded both in Kings and, with greater elaboration, in Chronicles.

And this means, in turn, that in the eighteenth year of Josiah the local sanctuaries throughout the land, reinstated by Menasseh at the beginning of his reign, were abrogated once again and the traditional cults of these "high places" were abolished anew. Particularly in the Temple itself all elements of non-Yahwistic worship, including the solar rite of the coming

<sup>352</sup> Cf. Vogelstein, *op. cit.*, 8, note 27.

of the first rays of the rising sun upon the day of the fall equinox, were eradicated. Once again the luni-solar calendar and its cycle of festivals were annulled, and the pentecontad calendar in its modified, Deuteronomic form, with the Passover celebrated upon the night of the new moon immediately following the spring equinox and preceding the beginning of the grain harvest, and the day of the Passover, 1/1, regarded as the New Year's Day,<sup>353</sup> and with the Matzot Festival observed upon the ensuing seven days, was revived. And once again, so it seems, a new era of time-reckoning was introduced, or, rather, restored as it had been in the latter half of the reign of Hezekiah, and the years of Josiah's reign were reckoned anew from the Passover-New Moon-New Year's Day which fell in the eighteenth year of his actual accession to the throne.<sup>354</sup>

## F

## SUMMARY

But once again this reformation continued in effect for only a brief period, from Josiah's eighteenth year, 622/1 B. C., to his death, 609/8 B. C. Almost immediately after his death, with the accession of Jehoiakim to the throne, the customary counter-reformation set in, and once again conditions became much as they had been previously, during the reign of Ahaz and again during the reigns of Manasseh and Amon, and continued thus until the fall of the nation under Zedekiah in 586 B. C.<sup>355</sup> As Ezek. 8 attests, the Temple became once again the center of numerous non-Yahwistic rites, among them the particular ceremony of the coming of the first rays of the rising sun upon the fall equinoctial New Year's Day. And during this same period, as, as we have seen, Jer. 7.17 f. states clearly, fires were kindled in the streets of Jerusalem and of the cities and towns of Judah and cakes were baked in honor of the "Queen of Heaven," also

<sup>353</sup> See Additional Note G.

<sup>354</sup> Vogelstein, *op. cit.*, 9 f.

<sup>355</sup> 2 Kings 23.37; 24.19.

upon the fall equinoctial New Year's Day. From this evidence it is clear that once again the luni-solar calendar, with its full festal cycle and its characteristic rites and ceremonies, was flourishing vigorously throughout Judah. However, the months continued to be designated by number, as in the Deuteronomic calendar, instead of by their former proper names, though now once again the New Year's Day fell upon the day of the fall equinox, X/10, instead of upon I/I, as in the Deuteronomic calendar.<sup>356</sup>

This long story of the evolution of the calendar in Israel, from the erection of the Temple by Solomon, near the middle of the tenth century B. C., to the destruction of the Southern Kingdom in 586 B. C., has established clearly that throughout this entire period of approximately four hundred years, there had been a constant struggle between the two calendars, the old pentecontad calendar and the luni-solar calendar, and between the two festal systems and their attendant ceremonies so intimately associated with each of these calendars. In the main, especially in Judah, the luni-solar calendar had prevailed. It was so closely linked with the Temple at Jerusalem and its specific orientation towards the point of sunrise on the two equinoctial days, that the cult of this sanctuary was of necessity bound up almost inseparably with the observance of solar rites, and especially with the all-important rite of the coming of the first rays of the rising sun on the fall equinoctial New Year's Day and the various ceremonies entwined with it. Small wonder therefore that it was to this ceremony and everything associated with it that the majority of the prophets, through the successive generations, had taken such violent exception, culminating in the scathing denunciations of Jeremiah and Ezekiel. Against this calendar, and specifically against the New Year's Day upon the day of the fall equinox, with all its attendant solar rites, the successive prophetic reformations were directed consistently. And in its stead these reformers sought always to reinstate the pentecontad calendar, eventually, however, as we have seen, in the somewhat modified form of the Deuteronomic Code.

<sup>356</sup> Cf. "The New Year of Kings."

It may be well to here review briefly the history of the calendar in Israel during the entire period of the kingdom.

We have seen that originally the pentecontad calendar, borrowed from the Canaanites by the Israelite tribes upon their entrance into the land, was in use in Israel steadily until the erection of the Jerusalem Temple by Solomon early in the second quarter of the tenth century B. C. Urged by considerations of international political and commercial relations, Solomon erected the Temple after the pattern of Phoenician sanctuaries of like character, with its orientation directly to the point on the horizon where the sun seemed to rise on the two equinoctial days of the year. With this he introduced a luni-solar calendar, apparently much the same calendar as was then current among the Phoenicians, and with it supplanted the old pentecontad calendar as the official system of time-reckoning for his empire. This new calendar was employed in reckoning the regnal years of his reign and those of his successors and in dating official documents of administrative, legal and commercial character. But we may be sure that in folk-practice the pentecontad calendar continued to be employed, both in the South and in the North.

With the division of the Kingdom Jeroboam I revived the pentecontad calendar as the official system of time-reckoning and religious observance for the Northern Kingdom. With apparently the single exception of the reigns of Omri, Ahab and Ahaziah, a period of approximately forty years, during which, for political and economic reasons, the luni-solar calendar was employed in Israel also, the pentecontad calendar seems to have been in constant use in the Northern Kingdom from the division in 932 B. C. until the fall of the Kingdom in 721 B. C. And there is no reason to doubt that after this momentous event the pentecontad calendar continued to be employed by those Northern Israelites who survived their national catastrophe and continued resident in the land and also by those who, for one reason or another, migrated from their native country and settled in other lands, but there zealously maintained their Israelite identity and culture.

In the Southern Kingdom, as we have learned, the history



of the calendar was more varied. As a result of the first prophetic reformation, that in the reign of Asa in 899 B. C., the luni-solar calendar, inaugurated by Solomon, seems to have undergone certain modification, and some elements of the pentecontad calendar seem to have been fused with it. But despite the reformation and the unquestioned piety of both Asa and Jehoshaphat, this slightly modified, but still predominantly, luni-solar calendar continued as the official calendar of the Southern Kingdom. Apparently in the reign of Amaziah, and continuing through the reigns of Uzziah and Jotham, as the result of pressure by the dominant Northern Kingdom, the luni-solar calendar was abrogated and the pentecontad calendar was restored in Judah. But upon his accession to the throne Ahaz signaled his termination of Judah's vassalage to Israel by abolishing this latter and reviving the luni-solar calendar with all its attendant religious institutions and ritual.

Hezekiah, in turn, repudiated the luni-solar calendar and revived the pentecontad calendar, with, however, two very significant modifications, viz. the shift of the Matzot Festival from its original moment of celebration, the week immediately preceding the beginning of the grain harvest, to the seven days immediately following the Passover, celebrated upon the night of the new moon immediately preceding the ripening of the grain and the setting of the New Year's Day upon the day of the Passover Festival, I/1. These innovations were, in turn, rejected by Menasseh and the luni-solar calendar was revived and continued in force during his long reign and that of Amon, his successor, and the first seventeen years of the youthful Josiah. In the latter's eighteenth year, however, came the Deuteronomic reformation in its second phase, and the reinstitution of the Hezekian calendar and system of time-reckoning. But again this reformation was very short-lived. With the accession of Jehoiakim to the throne thirteen years later, this calendar was abolished once again, and the luni-solar calendar was revived and continued in force to the fall of the Southern Kingdom and the destruction of the Temple in 586 B. C. and even perhaps through the early years of the exilic period.

It is clear that the chief reason for the dominance and

persistence of the luni-solar calendar in the Southern Kingdom was the Temple at Jerusalem and its peculiar solar orientation. This sanctuary was by its very pattern and situation particularly adapted to solar worship. And, on the other hand, the ritual and institutions of solar worship were, through their highly dramatic character, peculiarly attractive to at least the urban population of the Southern Kingdom. The Temple in particular had, through its almost four hundred years of existence, become a thoroughly integral part of the religious theory and practice of the people of Judah, too much so to be ever completely repudiated and eradicated. It is apparent therefore that the practical problem of the reformers in Judah after the downfall of the nation, just as it had been in a very real way that of the earlier reformers, was how to retain and restore the Temple, but how also to purge it completely of all elements of solar worship and to adapt it, if need be through far-reaching physical reconstruction and changing of its original pattern, to the principles and needs of nascent Judaism in the post-exilic period. This process we can trace in connection with our story of the evolution of the calendar during the biblical period, at least in some of its major details.

## G

### THE CALENDAR OF THE HOLINESS CODE

The fall of Jerusalem and of the Southern Kingdom in 586 B. C. left that portion of the population which remained resident in the land with no Temple and no native political administration. Apparently after the stress of actual warfare had subsided, the Babylonian yoke did not long rest too heavily upon it. In due time the country recovered from the catastrophe in considerable measure. Left to their own devices, the people naturally reverted to a simple and more or less local agricultural economy. Slowly but steadily the little Jewish community regained material sufficiency. By 520 B. C. not a few of the population of Jerusalem were once again dwelling in ceiled houses.<sup>357</sup> Under these circumstances and freed from the compulsions of

<sup>357</sup> Hag. I.4.

royal authority and international trade relations, the Jewish community of Palestine reverted quite naturally to the use of the old pentecontad calendar. The absence of the Temple, and with this the physical impossibility of the performance of the ceremony of the solemn opening of the eastern gate and the admission of the first rays of the rising sun upon the day of the fall equinox, with the consequent observance of this day as the New Year's Day, must have contributed mightily to this development. The festival system of this pentecontad calendar is set forth in Lev. 23, in the Holiness Code nucleus of this chapter. I have elsewhere discussed this matter in detail, and with analysis and reconstruction of the original text of H, so far as this was possible,<sup>358</sup> and therefore need only summarize here the main results of that study.

These calendar sections of H belong to the earliest stratum of that document and were, so it seems with reasonable certainty, composed during the period, 539-516 B. C., when the Temple had as yet not been rebuilt. Certainly they record what must have been the festival and calendar practice of the peasant population of Judah during the greater portion of the exilic period, following the destruction of the Temple in 586 B. C., when therefore no centralized place of worship was in existence. This consideration, of the absence of the Temple, will also explain adequately why the original stratum of H seems to have made no provision for any sacrificial procedure, at least in connection with its organization of the festival calendar, and why in it the priest plays practically no role other than to accept those portions of the harvest, firstfruits, tithes and vows, which were from of old his regular due.<sup>359</sup>

In this calendar of H the first thing to be noted is that the two annual *šapattum* periods are celebrated once again. That in the spring is observed for the seven days immediately preceding the ripening of the barley and the cutting of the first sheaf, for Lev. 23.9-14 provides specifically for this ceremony, and v. 15 states that this ceremony was performed upon the day

<sup>358</sup> "Supplementary Studies in the Calendars of Ancient Israel," 29-72.

<sup>359</sup> Cf. Lev. 23.10 f.

immediately following the שבת, i. e. the *šapattum* of seven days; for it is significant that in v. 16, and therefore certainly also in v. 15, שבת designates a period of seven days. Therefore the שבת which immediately precedes the ceremonial cutting of the first sheaf can be only the ancient *šapattum* of the pentecontad calendar.<sup>360</sup> It is a safe presumption that in the calendar of H the Matzot Festival was celebrated during this seven-days *šapattum* period, precisely as in the original pentecontad calendar.<sup>361</sup>

Furthermore, in this H calendar the Festival of Firstfruits<sup>362</sup> was celebrated after the manner of the ancient pentecontad calendar, exactly on the fiftieth day following the close of the Matzot Festival and the cutting of the first sheaf of the new grain.<sup>363</sup>

<sup>360</sup> So also the Lewys, *op. cit.*, 78.

<sup>361</sup> *Ibid.*, 113. The date of the festival given in Lev. 23.5 is, of course, from P (cf. "Supplementary Studies in the Calendars of Ancient Israel," 76, 114 f.) and supplants the original H date; but v. 11 suggests clearly that H must have set the Matzot Festival during the spring *šapattum*.

<sup>362</sup> Actually in Lev. 23.15-22 this festival is not designated by name. But it is inconceivable that the original H legislation could have made provision for this festival without naming it specifically. The loss of the name must be due entirely to P editing. Of one thing we may be certain viz., that the festival was not yet called Shabuot (cf. "Supplementary Studies in the Calendars of Ancient Israel," 47 ff.). This conclusion is confirmed by the fact that, unlike Deut. 16.9, Lev. 23.15 designates the weeks, not as שבועות, but as שבותות. From the twofold use of בכורים in vv. 17 and 20 we may infer that the original H legislation called the festival יום חג הבכורים or חג הבכורים, although v. 22 suggests the possibility that it may have been called here by its other ancient and equally appropriate name, חג הקציר; cf. above, note 333.

<sup>363</sup> Inasmuch as the first sheaf of the new grain was cut on the day immediately following the close of the spring *šapattum*, the day after the termination of the Matzot Festival, and inasmuch also, as this day must have been a Sunday (cf. "The Origin of Maṣṣoth and the Maṣṣoth Festival," 279), it follows that the Festival of Firstfruits must likewise have been celebrated on a Sunday. This, too, was the prescribed day for these festivals in the calendar of the Book of Jubilees and of I Enoch (cf. "Additional Notes on the Calendars of Ancient Israel," 87-100). It is noteworthy that the Boethusians, the Karaites and the Falashas also celebrated these festivals on Sunday. Unquestionably this practice of beginning every seven-day festal period on a Sunday and therefore ending it on a Saturday, which must, as this evidence shows clearly, have once been widely current in Israel, must have had its origin in the pentecontad calendar, in which the concepts of the number, seven, and

There is actually in the provisions for this H calendar no explicit statement that the fall *šapattum* was also observed, but there is indirect evidence that such was the case. Lev. 23.39 provides that "the Festival of Yahweh" was to be celebrated for seven days "at the ingathering of the produce of the field." The meaning of this passage is obvious. This "Festival of Yahweh" can be only the ancient Asif Festival. The explicit statement of the time when the festival was to be observed confirms this conclusion absolutely. The fact that the Asif Festival is here designated as "the Festival of Yahweh," i. e. the festival *par excellence*, the most important festival of the entire annual festal cycle, is of utmost significance. It is plain that basically the calendar of H was the old pentecontad calendar revived. Manifestly the Deuteronomic calendar was no longer observed. However, this is not at all surprising, since, as we have learned, with the accession of Jehoiakim to the throne in 608 B. C., the Deuteronomic reformation was repudiated, and with this the Deuteronomic calendar must have been annulled. Now, after the destruction of the nation and the fall of the Temple, with the consequent termination of its official cult, it was altogether natural that the people, reverting to the ancient, natural, small-scale, local, agricultural manner of life and economy, should revive the old, native and typically agricultural pentecontad calendar, at least in its major features. Precisely this is what seems to have happened during the exile in the midst of the little Jewish community of Palestine. It follows therefore almost of necessity that the Asif Festival must have been restored to the precise moment of its observance under the old pentecontad calendar, viz. the *šapattum* at the end of the "fifty"

of the week as a unit of time, played such a basic role (as the Lewys have demonstrated convincingly in their oft-cited study). This consideration will likewise make apparent why in the calendar of the Christian Church Holy Week begins on a Sunday, viz. Palm Sunday, and closes likewise on Sunday (i. e., the eighth day of the sacred period), viz. Easter Sunday. Manifestly, Jesus and his disciples and also the early church must have cherished and conformed to certain elements of the ancient pentecontad calendar which persisted actively, at least in Galilee, still in the first century of the present era.

which marked the close of the entire period of harvest and ingathering.

However, two minor modifications of the original pentecontad calendar seem to have been embodied in the calendar of the Holiness Code. While there is no explicit statement to that effect,<sup>364</sup> it seems most probable that the Passover Festival was not allowed to fall into comparative desuetude as it had been apparently in the period preceding the Deuteronomic reformation. Seemingly the close association of the Passover with the Matzot Festival, which the Deuteronomic Code had inaugurated, was preserved by H and persisted ever thereafter in the calendar of Judaism. Therefore with the transfer of the celebration of the Matzot Festival from the date at which it had been celebrated in the Deuteronomic calendar to its traditional date under the conditions of the pentecontad calendar, viz. the *šapattum*, the seven days, immediately preceding the cutting of the first sheaf of the new crop, the date of the Passover must have been shifted correspondingly, from the night of the new moon immediately preceding this moment in the agricultural year to the night preceding the first day of the *šapattum* period, the first day of the Matzot Festival. This probably meant a shift of the date of the Passover to a moment from one to two weeks later than that at which it had been observed under the Deuteronomic calendar. Moreover, in contrast with the Deuteronomic calendar, under the conditions of the H calendar the Passover was reduced to secondary importance and became an adjunct of the Matzot Festival. This was patently the complete reversal of the relationship which had obtained under the Deuteronomic calendar. This shift of emphasis in the interrelationship of the two associated festivals was, of course, precisely what was

<sup>364</sup> Cf. above, note 361. The original H text of Lev. 23.5 has been completely, or almost completely, recast by the later P legislators. Therefore it is impossible to recover the exact reading of the H original and to determine from this with complete certainty whether H actually made provision for the continuation of the Passover and its linking with the Matzot Festival, begun by D, although with the reversal of both date and relative importance of the two associated festivals which we have indicated. But the balance of evidence is strongly in favor of the positive answer to the question implicit here.



to be expected in the new, completely agricultural economy of the little Jewish community of Palestine.

The second modification of the original pentecontad calendar, manifest in the H calendar, is of far greater significance. We have seen that in this calendar, the Asif Festival was restored to the period in which it had been celebrated of old under the conditions of the pentecontad calendar, viz. at the time of gathering in the produce of the field. This means in the first place that this festival was no longer celebrated, as it had been under the luni-solar calendar, at the time of the fall equinox. This procedure was, as has been intimated, altogether natural in this period when the Temple at Jerusalem was no longer in existence and, in consequence, the all-important rite of the coming of the first rays of the rising sun through the open, eastern gate of the Temple on the day of the fall equinox, the New Year's Day of the luni-solar calendar, could not be performed. It was almost inevitable that, under the conditions which came to obtain in Palestine during the exilic period, the Asif Festival should revert to the time of its original celebration in the pentecontad calendar, the purely agricultural moment of the completion of the process of ingathering and of the termination of the entire harvest season.

As we have said, this period of the celebration of the Asif Festival was coterminous with the second annual *šapattum* period of the ancient pentecontad calendar. But, very significantly, Lev. 23.39 provides specifically that the festival was to be observed for only seven days. We have learned that the fall *šapattum* of the original pentecontad calendar consisted of eight days, and that the Asif Festival of the original pentecontad calendar was celebrated for, not seven, but eight days, coinciding with the eight days of this *šapattum* period. Why then this departure in the H calendar from the procedure of the original pentecontad calendar?

It is not difficult to find the answer to this question; and this answer reveals the significance of this important modification of the original pentecontad calendar. We have learned that under the conditions of the luni-solar calendar, which supplanted the earlier pentecontad calendar and fused with its own solar

festivals the major festivals of the older calendar, the eight days Asif Festival was transferred from its original time of celebration, at the ingathering of the produce of the field, to the last seven days of the year, the days immediately preceding the fall equinox, plus the eighth and last day of this sacred period coincident with the day of the equinox and celebrated as the New Year's Day. Under the conditions of the luni-solar calendar this eighth day naturally became the most important day of the entire eight days festal period. Gradually a distinction developed between the first seven days of the period and this eighth day. This latter was now a day of extreme sanctity in itself, the New Year's Day, the day of the coming of the first rays of the rising sun into the Temple, a day primarily of solar significance. Quite naturally the first seven days of the festal period were regarded now as of secondary importance. They were the Asif Festival proper, the forerunner of, or even the preparation for, the New Year's Day, related to it, but also somewhat distinct from it. This eighth day, the New Year's Day, was now an important festival in and by itself.

It was almost certainly as the result of this development of the calendar and of the system of festivals in Israel that the Asif Festival had been shortened from its original eight days to seven days. In fact this abbreviation of the original period of the festival had been recorded already in the Deuteronomic calendar.<sup>365</sup> The H calendar merely continued what the D calendar had already legitimized.

But here the question arises; what became of this original eighth day of the Asif Festival? And another question as well; did not the H calendar make provision for, or at least recognize a New Year's Day; and if it did, when was this? These questions can be answered only by conjecture, for there is no direct evidence bearing upon them. But it is a matter of extreme significance that, when the second Temple was completed, in the fall of 516 B. C., it was dedicated, precisely as the Temple of Solomon had been, upon VII/10, the day of the fall equinox, the New Year's Day of the luni-solar calendar. From abundant evidence,

<sup>365</sup> Deut. 16.13.

much of which has been considered already, it is certain that the ancient solar ceremony of the coming of the first rays of the rising sun through the open, eastern gate of the Temple upon this day, the ceremony which was thought to mark the entrance of Yahweh in His characteristic radiant form into the Temple for judgment of Israel and the neighboring nations upon this *יום הדין*, was revived in all its ancient details.

This is the import of Zechariah's vision of the four chariots coming forth from between the two copper mountains, at the far east, behind which Yahweh was conceived as dwelling.<sup>366</sup> It is likewise the import, as we have learned, of the same prophet's vision of Joshua, the chief priest of the Temple, standing before Yahweh for judgment, with Satan standing by to bring accusations against him.<sup>367</sup> It is the import also of the so-called *Thronbesteigungspsalmen*, which must, either wholly or at least in great part, have been composed during the period of the second Temple.<sup>368</sup> Significant above all else, as we have pointed out, is the import of the provision in Ezek. 44.1-2, that, after the entrance of the *כבוד אלהי ישראל*, coming from the east, through the open eastern gate into the new Temple, i. e. the third Temple, erected by Ezra, this gate was henceforth to be kept closed, obviously so that this ancient solar ceremony might be terminated forever.<sup>369</sup>

It is plain then that the memory of and reverence for this ancient, sacred day, the day of the fall equinox, did not cease in Judah during the period of the exile. The very fact that the second Temple was dedicated in 516 B. C. upon this very day suggests strongly that, in conformity with natural religious conservatism, throughout this period the day had continued to be regarded tacitly as the New Year's Day. But since the Temple was not in existence during this period, and, in consequence, the basic ceremony of the day, the coming of Yahweh, in the form of the first rays of the rising sun, into the Temple, could not be performed, it follows that the day could have been observed as

<sup>366</sup> Zech. 6.1

<sup>367</sup> Zech. 3.1; cf. also "The Mythological Background of Psalm 82," 41-52.

<sup>368</sup> See Additional Note H.

<sup>369</sup> Cf. below, pp. 459 ff.

the New Year's Day only negatively, without any formal festal celebration, or, at the very most, only with certain local folk-rites. During the exilic period therefore the New Year's Day had ceased to be an active religious festival; accordingly, not at all unnaturally nor improperly, it is not recorded in the festival calendar of the Holiness Code.

But from what has been said it is clear that after 516 B. C. in the second Temple the old solar New Year's Day upon VII/10, the day of the fall equinox, was revived with all, or at least almost all, its ancient, elaborate ceremonial detail. This is likewise the clear implication of the provision in Lev. 25.9, that the Jubilee year should be proclaimed upon VII/10; for naturally the proclamation of the specific character of any year would be made only upon the first day, the New Year's Day, of that year.<sup>369a</sup> With this revival, we may be reasonably sure, the Asif Festival came to be observed once again as the adjunct of the New Year's Day and to be celebrated, as it had been under the old luni-solar calendar, on the last seven days of the old year, with the eighth day of the festival period the New Year's Day. Whether the other festivals, Matzot and Firstfruits, and particularly the former, were at this time transferred once again from their dates under the pentecontad calendar to their former dates under the luni-solar calendar, we have no way of knowing, since there is nowhere any evidence bearing upon this question. But whatever the procedure may have been, we may be sure that the resultant calendar continued in effect during the thirty years of the existence of the second Temple and perhaps until the erection of the third Temple by Ezra, or even until somewhat later, until the time when the calendar of the Priestly Code was definitely formulated and officially inaugurated, probably during the last quarter of the fifth century B. C.<sup>370</sup>

Finally, in one other important detail the H calendar followed the old pentecontad calendar and showed itself to be basically a revival of that calendar, viz. in its program for the

<sup>369a</sup> Cf. "Supplementary Studies in the Calendars of Ancient Israel," 29, 69. Of course the mention of Yom Kippur in this v. is the work of RP.

<sup>370</sup> Cf. "Additional Notes on the Three Calendars of Ancient Israel," 81-85; "Supplementary Studies in the Calendars of Ancient Israel," 72-148.

Sabbatical and the Jubilee years;<sup>371</sup> for, as the Lewys have shown conclusively,<sup>372</sup> both of these institutions, with their seven-year time-unit periods, were integral elements in the system of time-reckoning based upon the pentecontad calendar. To what extent they had been observed during the period of the Kingdom we have no way of knowing. The C Code legislates for the Sabbatical year, and this, too, in a manner which suggests that it was an ancient institution, and not something new, invented by the authors of the C Code.<sup>373</sup> But it makes no mention at all of the Jubilee year. The K Code is silent with regard to both years. Apparently both institutions had survived in the memory, if not in the actual practice, of the people; and, not at all improbably, at least the Sabbatical year was observed uninterruptedly from ancient times in some manner by the rural population of the land, as the C record attests. Now the H Code, responding to its distinctly agricultural background and spirit, revived both institutions, in principle at least.

The H calendar then is obviously a continuation, or, perhaps more precisely, a revival, of the old pentecontad calendar, with barely a trace of the luni-solar calendar, as it had been observed in Judah for approximately four hundred years, still discernible. It is almost certain that this new calendar did not develop out of any prophetic movement or program. Neither was it the outgrowth of the presence of two religious parties or movements in the Jewish community at this time, and of the support of one calendar by one party and of that of another calendar by the other party, as had been the case in all previous calendar reforms in Judah. Rather, it was a spontaneous development, resulting both from the loss of the Temple as a center of religious observance and from the cessation of national life, and also from the predominantly simple, small-scale agricultural economy of the people, uninfluenced by considerations of international commerce. It seems to record, not what some particular group, either reactionary reformers or else what might be called the modernists or progressives of the day, was endeavoring to legislate into the role of a national calendar for the Jewish community, but, rather, what had become through a perfectly natural and perhaps almost

<sup>371</sup> Lev. 25.8-55.

<sup>372</sup> *Op. cit.*, 96 f.

<sup>373</sup> Ex. 23.10-11.

unconscious reaction to the daily life which the little people was now living, the calendar system in actual use.

But the development of this calendar, and particularly the revival of the specifically agricultural elements thereof, which emanated from the old pentecontad calendar, viz. the cutting of the first sheaf on the day of beginning the grain harvest, the celebration of the Matzot Festival, with the Passover linked inseparably with it, during the *šapattum*-period, the seven days immediately preceding this ceremony, the celebration of the Asif Festival at the time of "the gathering in of the produce of the land," i. e. during the first seven of the eight days of the former second annual *šapattum*-period of the ancient pentecontad year, and the observance of the Sabbatical and Jubilee years, shows clearly how institutions, customs and ceremonies basic in the pentecontad calendar had lived on in Israelite folk-practice through the centuries.

This fact, in turn, may enable us to understand clearly how the observance of a fast day on IX/24, and apparently also a seven days festival of which this fast day on IX/24 was merely the first day, even though not provided for in the original reorganization of the pentecontad calendar in the first reformation in the days of Asa nor in the subsequent calendar formulations in the C Code of 841 B. C., in the Deuteronomic Code in the days of Hezekiah and Josiah, and now in the Holiness Code, could none the less persist in the general, spontaneous practice of the people and find vigorous popular expression in the days of Jehoiakim, shortly before the fall of the Southern Kingdom, and again in the days of Haggai and Zechariah, and at least as late as the days of Ezra. The place of this festival in the ninth month in the pentecontad calendar will be determined in due time.

## H

### THE CALENDAR OF THE PRIESTLY CODE

The Temple was finally rebuilt, with Persian approval and material support, and was dedicated upon VII/10, 516 B. C., the day of the fall equinox. The evidence for this has already



been considered. It is certain that, as has been said, throughout the entire period of the existence of the second Temple, 516–485 B. C., VII/10 was once again observed formally and officially as the New Year's Day, with all the characteristic solar ceremonies of the ancient luni-solar calendar.

None the less, however, the thoroughly non-Yahwistic, solar origin and character of these ceremonies was becoming recognized with steadily increasing clarity by various elements of the Jewish community. From the time of Ezra and the erection by him of the third Temple onward various attempts to control and ultimately to eradicate this ceremony from the official Temple ritual were made, and with almost complete, ultimate success. The initiative in this movement seems to have been taken, no longer by the prophets, as in the pre-exilic period, but, somewhat surprisingly, by the priests, and especially by the Zadokite priests, who, in the entire pre-exilic period, almost from the day of the founding of the Temple, had monopolized the priestly functions and prerogatives therein. Beginning with the return of Ezra, himself undoubtedly a member of this group, these Zadokite priests carried on a persistent and bitter struggle with the levitical priests, who had discharged the priestly office in the second Temple from the moment of its dedication in 516 B. C. until its destruction in 485 B. C. This struggle was directed to recapturing, in the new, third Temple, which Ezra had been commissioned by Artaxerxes I, the Persian king, to erect, their former, pre-exilic position of priestly authority, and even of monopoly.<sup>374</sup> One important element of their program of the religious administration of the Temple and of the purging of its cult of all non-Yahwistic, idolatrous elements was the abolition of this rite of the coming of the first rays of the rising sun through the open eastern gate at dawn upon the New Year's Day on VII/10, the day of the fall equinox.

<sup>374</sup> This was a long, bitter and very significant episode in Jewish history, which exerted a deep and lasting effect upon evolving Judaism. I have hinted at some of the details of this struggle in "A Chapter in the History of the High-Priesthood." I hope to be able to some day record the entire story in all its minutiae, as the biblical evidence reveals this to us.

The first step in this program was the provision recorded in Ezek. 44.2,<sup>375</sup> that, immediately following the entrance of "the radiance of Yahweh," coming from the east in such manner that "the earth gleamed from His radiance," through the open eastern gate into the Temple, this gate should be closed, never to be reopened, and no person should ever be permitted to pass through it again, "because Yahweh, the God of Israel, had entered through it." Obviously, in the calendar in vogue at this time the New Year's Day was still observed on VII/10. This fact is confirmed by Ezek. 40.1, definitely the literary product of the Ezranic period.<sup>376</sup> From this evidence it follows that the ceremony of the coming of the first rays of the rising sun through the open eastern gate of the Temple on the New Year's Day was observed still at the dedication of the third Temple. It is impossible not to conclude, however, that this legislation in Ezek. 44.2 sought earnestly to abolish this ceremony by making this dedication of the new, third, Temple the very last occasion of its performance.<sup>377</sup>

The practical effect of the perpetual closing and sealing of this gate, so that it might never again be reopened, not even on the annual New Year's Day, was, of course, the termination of the entire ceremony of the coming of the first rays of the rising

<sup>375</sup> Long ago I arrived at the conclusion, almost identical with that of Hölscher (*Ezechiel: der Dichter und das Buch; Beiheft, ZAW*, 39 [1924]), though reached by an entirely different avenue of evidence and deduction, that Ezek. 40-48 cannot be the work of Ezekiel himself, but is instead in the main the work of a pre-Priestly writer, either Ezra himself or else a member of the school of Ezra, if we may use that term. This evidence cannot, of course, be presented here; however, for at least one chain of evidence cf. "Supplementary Studies in the Calendars of Ancient Israel," 74, note 112; 103 ff., note 166, and also the additional note here on "The Calendar of Ezekiel 45.18-25" (Additional Note I).

<sup>376</sup> "The Three Calendars of Ancient Israel," 35, 38 f., note 36.

<sup>377</sup> That the purpose of this legislation was ultimately achieved is evidenced by the significant ceremony recorded in Mishna Sukkah, V, 4. However, it is altogether probable that this result was not attained immediately, and that the further Priestly reorganization of the calendar, with the shift of the New Year's Day from VII/10 to VII/1 (cf. "Supplementary Studies in the Calendars of Ancient Israel," 72-79) was needed to complete this task.

sun upon the New Year's Day, i. e. the coming of Yahweh, in His traditional, radiant form, into the Temple. The further implication of this procedure, clearly stated in Ezek. 43.7, is that Yahweh need no longer enter into the Temple upon the New Year's Day, because He had now taken up His permanent residence there, in the midst of Israel, His people.<sup>378</sup> From this place of His permanent residence, His *משכן* in the literal sense of the term, He would never again depart, and therefore, of course, into it He need, and actually could, never enter again; accordingly the ancient ceremony of His annual entrance into the Temple upon the New Year's Day, there to remain for merely this one day in order to judge Israel and the other nations, should, logically and properly, be abolished. This end was achieved, in principle at least, by the legislation in Ezek. 44.2.

Manifestly, the concept of Yahweh dwelling henceforth permanently within the Temple, with the resultant closing and sealing of its eastern gate and the attendant termination of the entire ceremony of the entrance of the first rays of the rising sun upon the fall equinoctial New Year's Day, was basic in the thinking and the theology of these Ezranic, pre-Priestly legislators and reformers, and the entire program, culminating in the abrogation of the ceremony, was carefully devised by them. Apparently, too, it was in due time effectively executed and its goal completely achieved, though probably not without considerable opposition on the part of religious conservatives and reactionaries. This is evidenced by the ceremony recorded in Sukkah V, 4. As one of the rites of the *שמחת בית השואבה*, just before dawn two priests, with trumpets in their hands, would take their stand in the upper gate which opened from the Court of the Israelites in the Temple to the Court of Women below. When the cock crew they would descend the staircase in solemn procession, blowing their trumpets as they advanced, and proceed

<sup>378</sup> It must have been in connection with the erection of this third Temple by Ezra that the doctrine became firmly established, that Yahweh had taken up there His permanent residence in the midst of Israel, and that accordingly the name, *המשכן*, "the dwelling-place," came to replace the older term, *אהל מועד*, "tent of meeting," with its far-reaching theological implications; cf. "The Book of the Covenant." III, 7 ff., note 13.

to the closed eastern gate of the Temple. There they would proclaim, "At this spot our fathers were wont to prostrate themselves towards the sun, with their backs towards the Temple; but our faces are towards Yah and towards Him our eyes are directed." It is impossible not to identify this ceremony with that described so vividly in Ezek. 8.16. As I have shown elsewhere,<sup>379</sup> that was the ceremony of greeting the first rays of the rising sun, shining in through the open eastern gate of the Temple on the morning of the fall equinoctial New Year's Day upon VII/10, which was current in both the first and the second Temples. Here, manifestly, it is practiced in reverse, as it were, with the eastern gate of the Temple kept tightly closed, and with the two participating priests facing westward, towards the Temple, instead of eastwards, towards the rising sun, as the original ceremony had been. It is plain that this interesting ceremony survived both as a reminiscence of the ancient rite and also as a concrete and convincing piece of evidence that the former solar cult of the Temple, of which this particular ceremony had been an important and most graphic element, had in the third Temple, at least in the late period thereof, been completely or almost completely abrogated.<sup>379a</sup> But, as has

<sup>379</sup> Cf. "The Gates of Righteousness," 31 f.

<sup>379a</sup> That this rite should have survived as a part of the entire ceremonial of the *שמחת בית השואבה* rather than as a part of the ritual of Yom Hakkipurim on VII/10, the day with which it had originally been connected, is not at all surprising nor difficult to explain. It is true that this rite, and in fact the entire ceremonial of the *שמחת בית השואבה* in all its details, had been originally an integral part of the folk-ritual of the fall equinoctial New Year's Day, as we have learned. These rites and ceremonies seem to have been too deeply rooted in folk-practice to be eradicated completely. They lived on in severely modified form and with their most objectionable solar elements changed or removed. But, of course, they had, and could have, no possible relationship in thought and character with the nature and purpose of the Day of Atonement, as this gradually evolved. On the other hand, they had been intimately associated with the celebration of the entire Asif Festival, of which, as we have learned, the fall equinoctial New Year's Day was merely the climactic, closing day. What more natural therefore than that in the festival calendar and ritual of the third Temple, as this gradually evolved under the direction of the authors of the Priestly Code and their successors, this entire body of folk-ritual should be attached to the celebration of the Sukkot Festival, the immediate successor of the Asif Festival?

been suggested, the modification of this particular ceremony, and with it the abrogation of all solar worship within the Temple, was not achieved without a bitter and protracted struggle.

Seemingly the opposition to the termination of this particular ceremony of the coming of "the radiance of Yahweh" at dawn of the New Year's Day, upon the proper performance and fulfilment of which, as we have learned, the fortune of the people for the new year was thought to depend, was strong enough to necessitate additional procedures and the proper legislation to enforce them, before the ultimate goal was completely attained. Accordingly in Lev. 6.2-6 we find specific legislation to the effect that the fire upon the altar of burnt-offering should never be extinguished. The text of this passage is greatly confused and disorganized. It is apparent almost at a glance that this unhappy condition of the text is the result of the interpolation into it of secondary matter the connection of which with the main and original legislation, viz. the mechanical procedure of offering the burnt-offering and the disposal of the remains thereof when the sacrificial ritual was completed, is indirect and far-fetched. This secondary matter is the legislation concerning the fire upon the altar, that it shall be a perpetual fire, which shall never be permitted to burn out or be extinguished. This legislation is manifestly regarded as of such importance that it is repeated specifically twice, in vv. 5a and 6, while it is implicit also in the obviously secondary passage, V. 7b $\beta$ .<sup>380</sup>

The command that the fire upon the altar of burnt-offering should never be extinguished, particularly in view of its character as secondary legislation here, would be almost meaningless, if it did not imply that previously this fire had been extinguished, or at least had been permitted to burn itself out, and, furthermore, that this was a custom of particular significance, which,

<sup>380</sup> Note that the pronominal suffix of  $\text{בּוֹ}$  cannot refer to  $\text{הַעֹלָה}$ , even though the burnt-offering is the major theme of these verses, but must refer to  $\text{הַמִּזְבֵּחַ}$ . In other words, this little sentence says merely, "And the altar-fire shall burn upon it (the altar)." Plainly there is here no direct thought-connection with the remainder of the v.

for some reason, had become objectionable to the religious authorities, so that through this legislation this custom was to be abolished forever. This conclusion is implicit likewise in the seemingly urgent need for the enforcing of this legislation suggested by its threefold repetition here. Evidently the abrogation of the ancient rite of the extinction of the fire upon the altar of burnt-offering was thought to be of considerable importance; and this carries with it the further implication that it must have come to be regarded as an improper rite, of non-Yahwistic, idolatrous character.

I have treated this matter and its far-reaching implications in another study<sup>381</sup> and therefore need not present here the evidence which bears upon it. It suffices to state here that this evidence points indubitably to the conclusion that it had been the custom in ancient Israel to extinguish the fires in the Temple, and also the hearth-fires in all the homes throughout the land, apparently at the beginning of the Asif Festival, but certainly before the advent of the New Year's Day, and then, upon the New Year's Day, to solemnly rekindle the sacred fire upon the altar from the first rays of the rising sun,<sup>382</sup> and from this to

<sup>381</sup> "The Fire upon the Altar," as yet not quite completed, and therefore still unpublished.

<sup>382</sup> Cf. the kindling of the fire upon the altar of burnt-offering by "the flame which came forth from the presence of Yahweh" at the dedication of the tabernacle in the wilderness (Lev. 9.24; notice also the full implication of the "strange fire" of Lev. 10.1. Obviously this was profane fire, kindled by ordinary, human means, and not sacred fire, kindled from coals taken from off the altar, as Lev. 16.12 explicitly commands). Note also the kindling of the fire upon the altar of burnt-offering by the flame which descended from heaven at the dedication of Solomon's Temple (II Chron. 7.1; note, too, that, as we have repeatedly emphasized, the account of the descent of the fire from heaven and the kindling of the sacred flame upon the altar thereby, at the dedication of Solomon's Temple, has been completely suppressed in I Kings 8.1-11 by P editors, later than the time of Ezra undoubtedly, because, just as is implicit in Lev. 6.1-6, it was regarded as an objectionable, non-Yahwistic, idolatrous concept (cf. "The Three Calendars of Ancient Israel," 46, note 44). Note likewise the descent of fire from heaven and the kindling of the flame upon Elijah's altar of burnt-offering (I Kings 18.38; cf. "Amos Studies," III, 306, note 191). These were all New Year's Day occasions and ceremonies.



renew the hearth-fires in the homes throughout the land.<sup>383</sup> Quite obviously, it is this particular ceremony of the annual extinction of the sacred fire upon the altar of the Temple and the kindling of the new sacred fire by the first rays of the rising sun upon the equinoctial New Year's Day which this secondary legislation was designed to abrogate. The fact that such legislation, manifestly later than Ezek. 44.2, was still necessary, suggests that the goal of the latter legislation, viz. the permanent closing of the eastern gate of the Temple and the termination of the solar rites connected so intimately therewith, was not achieved immediately nor by that legislation alone.

And apparently also the legislation for the permanence of the fire upon the altar of burnt-offering in Lev. 6.1-6 likewise did not completely attain the desired goal, for still another legislative process, and one of far more drastic character, seems to have been needed before the solar ceremonies connected with the New Year's Day upon the day of the fall equinox, VII/10, were completely abolished. This new procedure was the complete reorganization of the festival calendar. This was carried out, quite naturally, by Priestly legislators. As has been said already, it seems to have been conceived and successfully executed step by step during the last quarter of the fifth and the early portion of the fourth centuries B. C. It is difficult to determine the order of the successive processes of this calendar reformation or the various considerations which motivated them, but when completed the calendar had taken the following shape.

The New Year's Day was shifted to VII/1, while VII/10, the

<sup>383</sup> This very same custom has survived to the present day in Palestine in the ritual of the descent of the sacred fire in the Church of the Sepulchre in Jerusalem on the afternoon preceding Easter Sunday (cf. Wilson, *Peasant Life in the Holy Land*, 45 f.; Stanley, *Sinai and Palestine*, 460-464; Ridgway, *The Lord's Land*, 262; Field, *Among the Holy Hills*, 50). It should be borne in mind that what is now Easter Sunday, but which was in ancient Israel the day of the cutting of the first sheaf of the new grain, on the day following the close of the *šapattum* of the Matzot Festival, and which came in time to be linked with the day of the spring equinox, and thus with the luni-solar calendar, as we have pointed out, was one of the two days in the year when the ceremony of the solemn opening of the eastern gate of the Temple and the entrance into the Temple of the first rays of the rising sun, was observed.

old New Year's Day of the luni-solar calendar, continued to be observed as a sacred occasion and eventually, probably at some time in the first half of the fourth century B. C., developed into Yom Hakippurim, the Day of Atonement. The Matzot and Sukkot Festivals were shifted from their original dates and made to begin on the fifteenth day of the first and seventh months respectively. Unquestionably, the selection of this day in the month for these two major festivals was linked in some way with the incidence of the full moon. The Passover continued to be closely integrated with the Matzot Festival, and so was celebrated on the night of I/14, while the Matzot Festival proper began on the next morning, i. e. on I/15. Both the Matzot and the Sukkot Festivals seem to have been celebrated originally in this new calendar for seven day periods, just as during the Exile; but eventually, no doubt resulting from the reminiscence that originally, under the conditions of the luni-solar calendar, as reorganized in the days of Asa, and as it continued to be observed throughout the greater portion of the existence of the Southern Kingdom and likewise during the period of the second Temple, 516-485 B. C., there had been actually eight days of celebration of the Asif Festival, an eighth day was added to the Sukkot festal period, called by the rather colorless name, Shemini Atseret, literally "an eighth, closing, day (of the Festival)."<sup>384</sup> Eventually, apparently as one of the final stages of this calendar revision, the first day of the Matzot Festival came to be regarded as the all-important day of that festival, and the Shabuot Festival, as it was now generally called, was reckoned as the fiftieth day from "the morrow" of this day, and so came to fall upon III/6.<sup>385</sup> Such was the calendar of the Priestly Code in its final shape.<sup>385a</sup>

It is apparent at a glance that this calendar has no connection

<sup>384</sup> Cf. "Supplementary Studies in the Calendars of Ancient Israel," 75.

<sup>385</sup> This is clearly implicit, although not actually stated, in Josh. 5.12. It is the Jewish calendar practice today. This entire reorganization of the calendar and the stages thereof; so far as these can be determined, and the evidence establishing these conclusions are set forth in detail in "Supplementary Studies in the Calendars of Ancient Israel," 72-108.

<sup>385a</sup> See Additional Note I.

whatever in any of its festivals except the Day of Atonement, with any of the critical moments of the solar year, either equinoxes or solstices. The stages of the moon are the sole calendar determinant. This is basically a lunar calendar, although it must have employed some system of intercalation by which a harmonization with the solar year was achieved.<sup>386</sup> The months began upon the days of the successive new moons, so that therefore, quite logically, the New Year's Day was set upon VII/1, and the Matzot and Sukkot Festivals began upon the mornings following the full moon nights of their respective months.

Only the Day of Atonement continued to be observed, in principle, upon what had been a sacred occasion and a festal day in the old luni-solar calendar; but now, under this new calendar and with the incidence of the new moon as the sole determinant for the beginning of the month, VII/10 no longer fell necessarily, nor even usually, upon the day of the fall equinox. Some of the old fall equinoctial New Year's Day rites continued to be observed upon the Day of Atonement, but in vastly modified form and with their original solar character practically eliminated, such rites as the entrance of the high-priest, functioning upon this one, supreme day of the year, into the holy of holies, into the very presence of the Deity, with his censer in his hand, and his coming forth thence and proceeding to bless the people, the ceremony with the goat of Azazel, and the symbolic ceremony of the closing of the gates as the concluding ritual act of the day. All these rites are survivals of the ancient celebration of the luni-solar New Year's Day upon the day of the fall equinox. The first and the last are specifically survivals of the coming of "the radiance of Yahweh," the first rays of the rising sun upon that day, into the Temple, and of His departure therefrom at the end of the day. But as ceremonies of the Day of

<sup>386</sup> The likelihood is that some system of intercalation other and less precise and efficient than the nineteen years cycle, was employed originally in this calendar, and that the nineteen years cycle resulted from contact with Babylonian astronomic and calendaric influences, and was introduced into Palestinian Jewish practice along with the Babylonian month names (cf. "The Three Calendars of Ancient Israel," 19 ff.) only towards the close of the fourth century B. C.

Atonement only the faintest reminiscence of their original solar character persists. Essentially the Day of Atonement was a new festival in the religious calendar of Judaism.

Manifestly, this drastic Priestly reorganization of the Jewish calendar had finally achieved the ultimate goal of all the calendar revisions in Israel, beginning with that in 899 B. C., or even with that of Jerobeam I in the Northern Kingdom, and onwards, viz. the total eradication from the Temple cult and from the religious practice of Israel of all non-Yahwistic solar elements, rites and ceremonies.<sup>387</sup> What the prophets had, in considerable measure, aspired to, the Aaronic priesthood of the middle post-exilic period did achieve through a procedure simple in principle and patiently and practically executed over a period of approximately two centuries.

The change in the manner of reckoning the day, i. e. instead of from morning to morning as of yore, now from evening to evening, naturally necessitated certain minor changes in determining the moment of beginning the festivals and of reckoning the dates thereof, as we have already noted. But, with one single exception, these changes were merely incidental and mechanical and, in themselves, grew out of no program of cult-revision.

This one single exception concerned the Passover-Matzot Festival. As we have learned, the Deuteronomic calendar shifted the seven-days Matzot Festival from its original date of celebration, beginning on the day of the cutting of the first sheaf, to the day immediately following the night of the Passover, i. e. the day beginning with the morning immediately following "the new moon of the ripening grain." Thus, as we have seen, these two festivals, originally totally independent of each other, and indeed springing from two entirely different cultures, were brought into immediate juxtaposition. Furthermore, as we have seen, the calendar of the Holiness Code transferred the Matzot Festival back to its original date in the pentecontad calendar, thus making

<sup>387</sup> However, in the ceremonies of the שמחת בית השואבה, and particularly in its various fire rites, elements of both the solar and the pentecontad calendar festival rituals survived as folk-practices; cf. Part I of this study, *HUCA*, XX (1947), 45 ff., 105.

it begin once again on the day of the cutting of the first sheaf, and likewise transferred the Passover with it, with the result that this latter festival was now celebrated on the night preceding the Matzot Festival at its new, or, rather, its restored dating. When the authors of the Priestly Code, in their revised calendar, shifted the date of the Matzot Festival once again, to begin now on the morning of I/15, the day of the full moon of the first month, they carried the Passover with it and, of course, set this upon the preceding night, the night of I/14. Now, with the change of the moment of beginning the day, they found themselves compelled to shift the moment of beginning the Matzot Festival anew, from morning to night-fall. But instead of making the shift forwards, as they did with the Sukkot Festival, because of the influence of the Passover they shifted backwards and made the Matzot Festival begin on the night of I/14. This, in turn, caused the beginning of the Matzot Festival to coincide exactly with the celebration of the Passover; and this, in its turn, naturally resulted in the complete fusion of these two festivals. Ever since then the Passover-Matzot Festival has been observed as one festival in the Jewish calendar.

The same may be said also of that other, later revision of the calendar, a revision, however, seemingly in only one detail, which is attested in very late strata of the biblical literature, the shifting of the date of the New Year's Day from VII/1 to I/1.<sup>388</sup> Apparently this revision of the calendar was made at the very end of the fourth or in the early part of the third century B. C. Just what its occasion and motivating principle may have been is not clear. Apparently, too, it was observed, if observed at all, only by certain Jewish groups or sects, dwelling mostly upon the periphery of the Jewish community. Certainly it received no formal sanction from normative Judaism. There is no reason to believe that this revision of the calendar had aught to do with eradication of non-Yahwistic, solar elements from the cult of Judaism.

<sup>388</sup> Cf. "The Three Calendars of Ancient Israel," 56, note 68a; "Additional Notes on 'The Three Calendars of Ancient Israel'," 77 f.; "The New Year of Kings."

The same is true of other proposed revisions of the calendar, such as that which is formulated in the Book of Jubilees,<sup>389</sup> and which, apparently, were never officially approved and put into practice. Whatever motives may have influenced their formulation, the purpose of ridding the cult of non-Yahwistic, solar elements growing out of the luni-solar calendar of Solomon cannot have been among them. That task seems to have been completed thoroughly by the Priestly reorganization of the calendar.

In this manner the problem of the non-Yahwistic, solar elements in the Temple cult and in the religious practice of Judaism was solved. The old, luni-solar calendar itself disappeared completely, leaving, however, easily recognized traces in the character of certain of the festivals and in various details of their ritual observance. But the objectionable elements of the solar cult were definitively eradicated. This luni-solar calendar had not been a spontaneous outgrowth of the life of the Israelite people in Palestine. It had been borrowed chiefly from Phoenician sources and had been superimposed upon the Israelite nation because of political and economic exigencies. It had always encountered strong and more or less active opposition on the part of the people at large, particularly those dwelling away from the great urban centers. It was rooted in and preserved by the Temple and its cult. During the period of the Babylonian Exile, when the Temple was not in existence, the luni-solar calendar, as we have seen, retrograded in observance and influence. And finally, when the Temple cult was at last purged of all positive solar cult elements, there was no longer any place for the luni-solar calendar in folk-observance.

But with the pentecontad calendar the situation was altogether different. That calendar was native to Palestine and was employed by the Israelites almost from the moment of their entrance into the land. It had grown out of the conditions and circumstances of agricultural life and reflected the daily needs and manner of living of the people at large; for within Palestine the Jewish people was always predominantly agricul-

<sup>389</sup> Cf. "Additional Notes on 'The Three Calendars of Ancient Israel'" 87-100.



tural. Even when the luni-solar calendar, entrenched in the Temple at Jerusalem, flourished most strongly, the pentecontad calendar still retained its hold upon the allegiance of the mass of the people and was able, as we have seen, to contend steadily and with much success with the luni-solar calendar for dominance in the official practice of the nation. Its festivals had an essentially agricultural character and were integrated with the daily life of the people, and particularly the peasantry, who must always have constituted the majority of the nation, much more closely than the festivals of the luni-solar calendar, centering in the Temple, could ever have been. Apparently there was no time within the entire biblical period of Jewish history when the pentecontad calendar did not enjoy some measure of popular regard and observance. And apparently also the Priestly reformation of the calendar, even after it had been fully achieved and had attained its goal of eradicating solar festivals and solar rites from the official Temple cult, did not affect the popular observance of the pentecontad calendar materially. Formally the people employed the official Priestly calendar in the dating of documents, the celebration of major festivals at the Temple, and similar national and communal procedures. But particularly in the rural, agricultural sections of the country we can readily imagine that the old pentecontad calendar continued to flourish in the folk-practice of the Jewish farmers of Palestine in much the same manner as it still flourishes today in the folk-practice of the Palestinian peasantry. The very survival of so many elements of the pentecontad calendar in Palestine down to the present day is convincing evidence of its persistence in Jewish practice throughout the entire biblical and post-biblical periods, so long as the Jewish people remained resident in their ancient homeland. There is abundant evidence to support this conclusion. However, this need not be presented here, since much of it has already been discussed by the Lewys,<sup>390</sup> and since we shall have further and illuminating evidence thereof in the next section of this study.

*(To be continued)*

<sup>390</sup> *Op. cit.*, 99 ff.; cf. also "Two Ancient Israelite Agricultural Festivals."

## ADDITIONAL NOTES

## A

## THE INAUGURATION OF THE LUNI-SOLAR CALENDAR

(Note 252)

Vogelstein (*Biblical Chronology*, I, 17) claims that it was David who shifted the calendar in vogue in Israel, so that the New Year's Day came in the fall instead of in the spring. This implies that it was David who made the transfer from the pentecontad to the luni-solar calendar. This is by no means impossible. One piece of evidence might seem, at first glance, to substantiate this conclusion. 2 Sam. 6.19; 1 Chron. 16.3 record that at the bringing up of the ark to Jerusalem, certainly an important festal occasion, and almost certainly the New Year's Day, David distributed to all the people, among other things, raisin cakes. The significance of this procedure I have discussed in "A Chapter in the History of the High-Priesthood," 7 f. and showed that this was an ancient Canaanite, agricultural, festival rite, which has persisted down to the present day. The first, natural conclusion, which I myself there accepted unhesitatingly, was that this pointed to the bringing up of the ark on the New Year's Day celebrated in the fall, i. e. at the fall equinox. This conclusion was based chiefly upon the identification of these raisin-cakes with the כֻּמִּים, the cakes baked by the Israelite women in the cult of the Queen of Heaven (Jer. 7.18; 44.19) as a part of the ritual, as we have learned earlier in this study, of the fall equinoctial New Year's Day as this was popularly celebrated in Judah at the time of Jeremiah.

But this conclusion does not follow necessarily, for, as I showed at the same time, these raisin cakes, or their equivalents, seem to have played a role in the rituals of other Semitic agricultural festivals celebrated at various seasons of the year. In fact the most illuminating instance of this rite, observed in modern Palestinian practice, in which the cake was shaped and baked unmistakably in the form of the *dea nutrix*, the mother-goddess, the Queen of Heaven, was an element in the observance by the fellahin of the feast which marks the close of the Moslem fast of Ramadhan. Also, if, as I suggested there, these cakes may be correlated with the well-known cakes, called *Hamantaschen*, which are eaten regularly as a part of the folk-celebration of the Jewish festival of Purim, which comes in the very late winter or early spring, close to the time of the spring equinox, a festival which, as we shall see, likewise has many of the characteristics of a New Year as well as of a Saturnalian festival, then we must infer that their use was not necessarily limited to the New Year's Day at the time of the fall equinox, but that they were employed in the celebration of ancient, Canaanite agricultural festivals in general, at

various moments in the year, as Hos. 3.1 may perhaps imply. In such case they could have been distributed by David to the people as a rite of the New Year's Day celebrated in the spring, upon the day of cutting the first sheaf and beginning the harvest of the new crop, just as well as at a New Year's Day celebrated on the day of the fall equinox. The evidence of this passage and of this rite as to the time of the year at which David brought up the ark to Jerusalem and of the festival connected therewith, presumably, as has been said, a New Year's Day festival, is altogether indecisive.

Other considerations, of much greater and more compelling significance, which we shall consider in due time, established with reasonable certainty that David still adhered to the practice of the ancient pentecontad calendar and celebrated the New Year's Day in the spring, upon the day of the cutting of the first sheaf, the day following immediately upon the close of the seven-days Matzot Festival at the end of the old, pentecontad year.

While, as has already been stated, the inadequacy of the pentecontad calendar for the developing international and commercial life of Israel, with its expanding foreign contacts, must have begun to be felt already in David's day, the new calendar could scarcely have been inaugurated before the time of Solomon. On the one hand, it requires considerable time for a cultural change as significant as this to evolve, even after its need has begun to be perceived. And, on the other hand, as has also been said, the new calendar was distinctly luni-solar in character; and it is impossible to employ a luni-solar calendar without taking cognizance of the equinoxes and solstices and the festivals associated with these important moments in the solar year; and this, in turn, implies close and inseparable association with the Temple at Jerusalem, with its peculiar orientation (cf. "The Gates of Righteousness," 16-19). The erection of the Temple, the attendant changes in the cult and the shifting of the calendar are three closely related phases of the same cultural and religious reorganization, and so can not be separated from each other. It follows therefore that the new luni-solar calendar must have been inaugurated and the old pentecontad calendar officially superseded, not by David, but rather by Solomon early in his reign, at the time of the erection of the Temple.

In fact we may go one step further and conclude that the New Year's Day upon which the Temple was dedicated (969/8 B. C., according to Vogelstein, *op. cit.*, 1; i. e. the day of the fall equinox in 969 B. C. For the dedication of Solomon's Temple on the New Year's Day, cf. "The Three Calendars of Ancient Israel," 36-43) marked the inauguration of this new calendar. Vogelstein suggests (*ibid.*) that the dedication of Solomon's Temple was regarded by later historiographers as inaugurating a new era in Israelite history and time-reckoning. This would be doubly comprehensible if this same event actually marked the introduction of a new calendar.

In this connection a suggestion with regard to the two pillars which stood upon the portico in front of the Temple, i. e. on its eastern facade, may not be amiss. It is reasonable to suppose that they stood in precisely balanced positions with relation to the main entrance into the Temple structure proper. Albright has suggested that "they may have been regarded as the reflection

of the columns between which the sun rose each morning to pour its light through the portico of the Temple into its interior" (*Archaeology and the Religion of Israel*, 148). This latter procedure is, however, in a literal sense, unlikely and even impossible. The portico itself was twenty cubits wide and ten cubits deep (1 Ki. 6.3). The exact diameter of each pillar is uncertain (cf. Albright, *ibid.*), nor is there the slightest indication in the biblical record of the exact spots in the portico upon which these two pillars stood. As has just been said, they probably stood in perfectly symmetrical positions in relation to the entrance into the Temple structure proper; but just how far apart from each other, and how far in front of the entrance to the Temple there is no suggestion whatever. Neither is there any hint as to what the width of this entrance may have been. We are told only that the door thereof had two panels. It is reasonable to suppose still further that, regardless of the space between them, the two pillars stood near the front edge of the portico, i. e. some cubits out from the front wall of the Temple in which the door was set. Accordingly the rays of the sun, particularly at sunrise, would not shine along one and the same straight line through the opening between the two pillars and then on through the door into the Temple on every morning of the year, as Albright seems to suggest. Rather the direction of this line would vary slightly from day to day and from equinox to equinox with the daily change of the position of the Temple in relation to the sun. Moreover, as 1 Ki. 8.12 seems to imply, the interior of the Temple was normally dark.

Also, as I have shown elsewhere ("The Gates of Righteousness"), the outer gates and likewise the door of the Temple were kept tightly closed throughout the year except upon the two equinoctial days, when they were opened so that the first rays of the rising sun, upon just these two days of year, might shine down the long axis of the Temple, through its entire length, into the *d'ebir*, at its far, western end. This was the most important religious ceremony of the entire year, upon which the fortunes of the people for the new year, just beginning with that moment, were thought to depend.

It may well be then that the two pillars were so placed on the portico and in relation to the entrance into the Temple structure as to help determine the precise days of the equinox and with this the proper moments for opening the door of the Temple. On all other days of the year the rays of the rising sun would shine at a steadily varying angle between the two pillars. On many of these days they would not strike the door of the sanctuary at all. But, as we have learned, the Temple was so oriented towards the point of sunrise upon the two annual equinoctial days that on these two days, and on these two days alone, the sun's first rays would shine on a straight line between the two pillars and strike the door of the sanctuary just at its center, at the line of division between its two panels. The observation of this circumstance would enable the Temple authorities to determine with absolute precision the two equinoctial days and therefore the proper moment for the all-important ceremony of the solemn opening of the eastern gate and door of the Temple. It seems therefore a very probable surmise that, regardless of whatever other function or functions the two pillars may have performed, they

were at least employed to determine the equinoctial days and the proper time for the performance of the ceremony of "the coming of the radiance of Yahweh" into the Temple.

## B

## THE KENITE CODE

(Note 266)

What I believe to be the original form of these laws is presented in "The Oldest Document of the Hexateuch," 91. I titled it "The Kenite Code." Twenty-one years after the publication of that study I would modify that statement only slightly. Instead of arranging the laws of the K Code in a group of eight, as I did then. I would now regard them as ten; for certainly the number, ten, for the laws of a covenant code such as this, which we find again in the C Code (*ibid.*, 95), in the D Code (Ex. 20.2-17; Deut. 5.6-18), and perhaps also in the Holiness Code (Lev. 19), can not have come about accidentally. It seems to rest upon an ancient tradition, which unquestionably goes back at least to the very first covenant code in Israel. The original ten laws of this K Code are easily determined.

We might justifiably regard the legislation for the three festivals in vv. 18 and 22, not as I did in "The Oldest Document," as one law, but rather as three laws. The very fact that in the present form of the Code the legislation for the sacrifice of firstling animals and that for the celebration of the Sabbath intervene between that for the Matzot Festival and that for the other two festivals, Katsir and Asif, suggests that this same separation existed in the original form of the K Code, and confirms our present contention, that the legislation for the three festivals constituted originally three, or at least two, separate laws, instead of merely one, as I proposed twenty-one years ago.

Also in the legislation for the Matzot Festival in v. 18 it is apparent now that, since in 899 B. C., when this festival had as yet absolutely no connection with the Passover (cf. above, pp. 430 ff. for the inauguration of this connection), the words, למועד חדש האביב, which, as we shall see, was the original date, not of the Matzot Festival, but rather of the Passover, could not have been a part of the original K Code. Precisely like v. 23 (cf. "The Oldest Document of the Hexateuch," 61 f.), these words, too, must be the result of Deuteronomic expansion of the original text of the Code.

Also, inasmuch as in the pentecontad calendar the New Year's Day must have been celebrated in the spring, very probably on the day following the seven-days Matzot Festival, the eighth day of festal celebration, therefore the day of the cutting of the first sheaf of the new grain and the beginning of the harvest, and therefore likewise the first day of the grain-harvest "fifty," and inasmuch also as this pentecontad calendar took no cognizance whatever of the equinoxes and solstices, it follows that the words, תקופת השנה, in v. 22, which date the Asif Festival at the time of the fall equinox, must also be an editorial interpolation, the reason for which we shall see in due time.



Also the Sabbath legislation in v. 21, in its present form, careful examination shows, must be the result of editorial expansion. Actually v. 21, in its present wording, contains two laws, the first, in 21a, commanding the observance by abstention from work, of the weekly Sabbath, running through the entire year, and the second, in 21b, commanding that twice a year, once at plowing time and again at the time of the grain-harvest, a *šapattum* should be observed (for this interpretation of חשבת cf. Lewy, *op. cit.*, 110 ff.). Merely to interpret 21b as an affirmation of 21a ("even at plowing time and at harvest time thou shalt desist from work" [on the Sabbath day]), as I did originally ("The Oldest Document of the Hexateuch," 63), would make 21b actually superfluous, and likewise cause this then rather diffuse Sabbath law to differ radically in form from the simple, direct, concise formulation of all the other laws. Actually 21b says something quite different from 21a and likewise employs the verb, חשבת, in an altogether different connotation. (Not improbably the second חשבת is an expansion of an original שבת [note that *G* reads in most manuscripts *κατάπαυσις*], resulting no doubt from juxtaposition with חשבת in 21a. That חשבת, and not שבת, despite *G*'s *κατάπαυσις* here also, is original in 21a is indicated both by the parallel verb form, תעבר, and also by the preposition of וביום.

We must recognize therefore that 21a and 21b record two altogether different laws, and must conclude, either that one of these two laws did not stand in the original K Code, or else that the two festivals, Katsir and Asif, were originally linked in one law, just as they are at present; for it is unthinkable that the K Code should have contained eleven laws instead of the traditional ten (cf. Ex. 34.28).

It is a bit difficult to choose between these two alternatives. It is impossible, of course, to omit חשבת ובקציר, for not only does this law enforce a basic institution of the pentecontad calendar, and not only, too, is it, when considered as a unit in itself, couched in the simple, concise form, characteristic of the K Code, but also, had this law not been a part of the original K Code, it would be altogether impossible to account for its presence here; for it is inconceivable that later editors could have conjured it out of nothing and then interpolated it here. If either of the two laws of v. 21 be secondary and editorial it must be the first. But this, too, is almost unbelievable, particularly since 2 Ki. 4.23 indicates clearly that, less than sixty years after the promulgation of the K Code, the observance of the Sabbath as a day of abstention from work was an established institution in Israel and also because, as the Lewys have demonstrated, it, too, was an integral element of the pentecontad calendar.

Perhaps then it is best to retain both 21a and 21b for the original K Code and to link the legislation for the two festivals, Katsir and Asif, into one law. This conclusion finds some confirmation in the fact, already pointed out, that in v. 22 they do actually appear linked in this manner, and by the additional fact that, with this interpretation of חשבת in v. 21b, legislating for the observance of the two *šapattum* periods in the year, the legislation for the two festivals, Katsir and Asif, following immediately after, is in its logical place,



since in the pentecontad calendar these two festivals were associated, though in different ways, with these two *šapattum* periods. In its present form *dabar* VI, the legislation for the two festivals, seems awkwardly worded and to end abruptly. Not impossibly in its original form, before the editorial interpolation of תקופה השנה, it may have been worded or arranged somewhat differently, perhaps thus: חג הקציר וחג האסיף תעשה-לך; but this is at best only an unsubstantiable conjecture.

It is also perhaps not impossible, and is even quite probable, that כל פטר לי may have stood in the original form of the K Code immediately before *dabar*, VIII, and be in its present position as the result of editorial recension (note that it is missing completely in the C Code). This rearrangement, rather slight in extent, would bring all the legislation in the K Code for the observance of the festivals and related sacred occasions and practices together as one unit, and all the legislation for animal sacrifice together as another unit; but this, too, while logical, and therefore not at all improbable, is another unsubstantiable conjecture.

However, be all this as it may, it is now clear that the original K Code, like all of its successor covenant codes, consisted of ten *d̄barim* or laws. In its original form it probably read much as follows:

- I. לא תשתחוה לאל אחר
- II. אלהי מסכה לא תעשה לך
- III. אחתהן המצות תשמר
- IV. ששת ימים תעבד וביום השביעי תשבת
- V. בחריש ובקציר שבת
- VI. חג הקציר וחג האסיף תעשה לך
- VII. כל פטר רחם לי
- VIII. לא תשחט עליהמזן דם זבחי
- IX. לא ילין לבקר זבח חג הפסח
- X. לא תבשל גדי בחלב אמו

The recognition of the fact that the K Code originally consisted of ten *d̄barim*, precisely like the later covenant codes, instead of eight, as I had suggested in 1927, and the rearrangement of these ten *d̄barim* in the order presented above bring out much more clearly than was the case previously the basic character of these laws and of the reformation of which they were the program.

Apparently these ten *d̄barim* were organized systematically and in furtherance of a well-conceived purpose. The first two *d̄barim* set forth the fundamental principles of the reformation, viz., that Israel's worship must be given to Yahweh alone, that other gods may have absolutely no share therein, and also that He may be represented by no molten image, nor are such images to be employed by Israel in any way in its worship. The next four *d̄barim* deal altogether with sacred occasions, festivals, Sabbath and *šapattum* periods, all of them, be it noted, fundamental institutions of the pentecontad calendar. The last four *d̄barim* deal entirely with principles and sacrificial practice whose roots were in desert, nomadic or semi-nomadic civilization. This organi-

zation of this little code of laws in three sections, consisting of two, four and four *d̥barim* respectively, could have resulted only from well-considered planning, motivated perhaps by a desire, conscious or unconscious, to balance institutions of Palestinian, agricultural origin with others of manifestly desert, semi-nomadic origin. It is almost self-evident that this code of ten *d̥barim*, altogether ritualistic in character, reflects the point of view of the rural population of Southern Palestine, with its farmer-shepherd economy and religious theory and practice, the program which the prophets of the South, in close association with the Kenites or Rekabites, would naturally formulate and support. As has been said, all this is much clearer now than it was in 1927, when "The Oldest Document of the Hexateuch," in which the Kenite origin of this Code was propounded, was published.

In passing it may be noted also that in their original form, as we have reconstructed them, these ten *d̥barim* show absolutely no trace of Deuteronomic handiwork or literary influence, as Pfeiffer contends (*Introduction to the Old Testament*, 224 f.). That this little code of laws, like that of C also, underwent a rather drastic Deuteronomic reediting and expansion is beyond question. But that this little code existed as a literary unit, if not actually, then certainly very approximately, in the form in which it has been reconstructed above, previous to its revision by Deuteronomic editors, probably in the early post-exilic period, seems beyond question. And if this be granted, then surely no other moment for the formulation and promulgation of this little code and no other historical setting can be found for it than that which was proposed in "The Oldest Document of the Hexateuch" in 1927, and which was reaffirmed, with detailed exposition of the historical setting, in "Amos Studies," III, 224-258, in 1940, viz. as the program of the reformation in the Southern Kingdom in 899 B. C., during the reign of Asa.

## C

### THE FESTIVAL OF JEROBEAM I

(Note 275)

One illuminating and very significant bit of evidence, preserved in the Bible, corroborates this conclusion completely, and its full meaning becomes apparent thereby. 1 Ki. 12.32-33 tells that Jerobeam I celebrated in the Northern Kingdom in the eighth month a festival similar to that which was celebrated in Judah in the seventh month. At first glance this seems to imply that Jerobeam I deliberately changed the date of his festival from the seventh month, when it had been celebrated formerly, just as in Judah, in order to differentiate the Israelite practice from that of Judah and thus give concrete demonstration to the newly established independence of Israel apart from Judah. But this consideration loses sight completely of the consideration that festivals such as this can not be set arbitrarily or at random, no matter what authority a king may possess, but must always have a definite place in a

religious calendar and a specific relation to some particular condition or circumstance, such as the state of the crops or the position of the sun. We may be sure therefore of one thing, that Jerobeam I did not act arbitrarily or merely in sheer defiance of Judah. Certainly other and more cogent considerations must have impelled him to his decisive action.

I have already discussed in considerable detail this passage and its implications ("Amos Studies," II, 20-34), and have concluded that the original of the manifestly greatly expanded text read as follows: ויעש ירבעם חג בחדש השמיני כהן אשר ביהודה ויעל על-המזבח אשר עשה בבית-אל להקטיר these two verses in their present form serve as an introduction to the narrative of the altar at Bethel and of the anonymous prophet who announced its destruction, in 1 Ki. 13. I concluded likewise that this entire narrative was based upon the actual destruction of the altar at Bethel by the great earthquake in 749 B. C. (The date is somewhat uncertain. According to the chronology reconstructed by Vogelstein [*op. cit.*] this event transpired in 758 B. C.), at the same moment as Uzziah was stricken with leprosy, and in consequence the regency of Jotham began. (Thiele [*op. cit.*], however, sets the beginning of Jotham's regency, and therefore the date of the earthquake, in 750 B. C.). This destruction of the altar at Bethel was foreseen by Amos in his fifth vision (Amos 9.1; 3.14b-15; cf. "Amos Studies," I, 91 ff.). I have concluded that the narrative in 1 Ki. 13 was based upon (a) a confusion of Jerobeam II with Jerobeam I; (b) a confusion of the actual mission of Amos with the legendary role of the anonymous prophet who came from Judah to announce the destruction of the altar of the royal sanctuary at Bethel; and (c) the actual destruction of this altar in the Josianic reformation in 631 B. C. (2 Ki. 23.15). The narrative in 1 Ki. 13, while by no means a literary unit, is, in all its strata, manifestly the work of Deuteronomic writers, and is altogether unhistorical in its essential details. Its chief, if not its only, historic value is as a kind of commentary upon the fifth vision of Amos and also upon the actual, severe damage wrought to the great altar at Bethel by the earthquake. Thus far the interpretation of this passage which I offered in "Amos Studies," II stands without modification.

Likewise, as I suggested there, these Deuteronomic authors of 1 Ki. 13 regarded this dire incident as happening upon the occasion of Jerobeam's dedication of the royal sanctuary at Bethel, and, still further, the clear implication is that, in accordance with what we have learned was the established Semitic practice, they assumed unquestioningly that this dedication ceremony took place upon the New Year's Day, the day of the fall equinox, VII/10 of what I have termed ("The Three Calendars of Ancient Israel," 13 ff.) Calendar II, or the 1st of Bul of Calendar I. Their assumption was based quite naturally upon the calendar procedure and the principle and practice of temple dedications with which they were acquainted in their own day and locality, post-exilic Judah. But these were certainly not the conditions which obtained in Northern Israel in the time of Jerobeam I, for otherwise his regnal years and those of his immediate successors would have been reckoned from the fall; and, as we have learned, such was not at all the case.

Therefore we must conclude that the background of the narrative in 1 Ki. 13, viz. that the withering of Jerobeam's hand and the prediction of the destruction of the altar by the anonymous prophet transpired at the dedication of the temple at Bethel upon the New Year's Day at the time of the fall equinox, has no basis whatever in historical fact. And with this conclusion the entire part of the narrative which tells of Jerobeam's I's officiating at the altar and of the ceremony implicit in the term, להקטיר, in 1 Ki. 12.33 and 13.1, which, as we have learned (in the first part of this study, *HUCA*, XX [1947], 53 f.), had relation only to a specific ceremony, associated with a sacrifice, which was itself an integral portion of the ritual celebration of the New Year's Day upon the day of the fall equinox, must likewise be regarded as having no basis in actual, historic fact.

Such being the case, it follows that להקטיר in 1 Ki. 12.33, and so also, of course, in 13.1, must also be the work of the Deuteronomistic redactors of the original record, and with this, in turn, also all reference to Jerobeam I's ascending the altar. This leaves as the original record merely the simple statement, ויעש ירבעם חג בחדש השמיני כהן אשר ביהודה. This record then singles out as the basic sin of Jerobeam I his changing the date of this particular festival, the Asif Festival, as it clearly was, from the seventh month, when, as was generally known, it was celebrated in Judah, to the eighth month, "a month which he devised from his own heart" (1 Ki. 12.33). This original record said nothing at all about the erection of the sanctuary at Bethel and its dedication.

But if Jerobeam I celebrated the Asif Festival in the eighth month, it can mean only that he celebrated it at its proper moment according to the festival system of the pentacontad calendar, i. e. some two weeks or more after the fall equinox (cf. above, p. 382), at the actual time of the completion of the "ingathering" of the entire crop. This would naturally cause it to fall in the eighth month according to the system of time-reckoning of Calendar II. It means further that Jerobeam I must have observed his festival at the regular eight-days *šapattum* period between the fourth and fifth "fifties" of the pentacontad calendar. And this means, in turn, that Jerobeam I must have employed the pentacontad calendar in both religious and administrative practice. To accomplish this he must, of course, have abrogated for the Northern Kingdom the luni-solar calendar which Solomon had inaugurated for the United Kingdom and which had been current in the North as well as in the South throughout Solomon's reign.

## D

### CHRONOLOGICAL DATA OF THE REIGN OF ASA

(Note 289)

A very interesting piece of biblical evidence corroborates this conclusion in illuminating manner. 2 Chron. 15.19 records, "And there was no warfare until the thirty-fifth year of the reign of Asa." 2 Chron. 16.1 then goes on to tell that, in the thirty-sixth year of the reign of Asa, Baasha of Israel made

an expedition against Israel, which resulted in Asa's establishing an alliance with Ben Hadad of Aram against Baasha and the consequent sound defeat of the latter. However, the statement plainly contradicts all other biblical records. 1 Ki. 15.16, 32 tell that there was warfare between Asa and Baasha "all the days," i. e. all through the twenty-four years reign of Baasha. Moreover, 1 Ki. 15.33 tells that Baasha became king of Israel in the third year of Asa, i. e. 912/911 B. C., and ruled for twenty-four years. He was succeeded in the twenty-sixth year of Asa, i. e. 889/888 B. C., by his son, Elah, who ruled for two years (1 Ki. 16.8). Elah was slain by Zimri in Asa's twenty-seventh year (1 Ki. 16.10), i. e. 888/887 B. C. After seven days of misrule Zimri committed suicide. Omri was declared king of Israel by his own army immediately thereafter (1 Ki. 16.15-20). Then followed a period of civil war in Israel between Omri and his rival claimant to the throne, Tibni, which endured until the thirty-first year of Asa, i. e. until 884/883 B. C., when Tibni lost his life and Omri became at last sole king of Israel.

From this body of records, the authenticity of which is unchallengeable, it is clear that the statement of 2 Chron. 15.9, as it reads in *MT* and in the majority of the other versions, is altogether contrary to fact. By the thirty-sixth year of Asa, Baasha had been dead already ten years. Moreover, the plain implication of 1 Ki. 14.32 is that the warfare between Baasha and Asa began early in the latter's reign and continued throughout the entire twenty-four years of the reign of Baasha. Only in the latter part of Asa's reign therefore could the Southern Kingdom have enjoyed the peace of which 2 Chron. 15.19 speaks. Furthermore, 2 Chron. 13.23 tells that during the reign of Asa the Southern Kingdom enjoyed peace for ten years; cf. also 2 Chron. 14.4b; 15.19.

1 Ki. 15.9 records that Asa reigned for forty-one years, i. e. 914/913-874/873 B. C. The last ten years of his reign would coincide exactly with the period beginning in 884/883 B. C., when Omri became the sole king of Israel. This can mean, in turn, only one thing, viz. that, with the accession of Omri to the throne, as sole king of Israel, the warfare between Israel and Judah, which had persisted intermittently for almost a half century, suddenly came to an end completely. This is perfectly comprehensible in all its implications. It is clear from all the biblical records that in this warfare, and particularly during these first thirty-one years of Asa's reign, Israel had always been the aggressor. Judah, the smaller and weaker of the two kingdoms, had fought only on the defensive for the most part and certainly must have felt relieved and well satisfied during those intermittent periods when the Northern Kingdom did not press the warfare unduly. It was therefore a very simple matter for Omri, when he became sole king of Israel, and so could shape his own international policies, to take the initiative, in fulfilment of his larger program, which he must have been developing even during the years of his warfare with Tibni, in terminating this long and costly warfare with his southern neighbor, and to inaugurate relations of amity and cooperation with Asa and Judah.

For Omri understood perfectly that the only way in which something of



its former strength, prosperity and political dominance in Western Asia could be restored to Israel lay in diverting the rich commerce of the great Spice Route from Southern Arabia away from "the King's Highway," the road from Akaba to Damascus, and causing it to pass once again through Judah and Israel and on to Tyre, and thus making Tyre once again, instead of Damascus, its terminus and chief distributing center (cf. "Amos Studies," III, 134-152). But to achieve this end relations of peace, alliance and cooperation with both Judah and Tyre were indispensable and also their united front against Damascus. Omri proceeded to inaugurate this policy and plan immediately after he became sole king of Israel in 884/883 B. C. Naturally he experienced no difficulty whatever in perfecting relations of peace and alliance with Judah. Also in furtherance of this program he transferred his capital from Tirzah, which faced towards Damascus, to Samaria, an almost impregnable fortress site, which overlooked the highroad from Akaba, up through Judah and Israel, to Tyre. The alliance with Tyre was likewise quickly established, and within a few years was cemented by the marriage of Ahab, Omri's son, with Jezebel, the Tyrian princess. And in due time the alliance between Israel and Judah was strengthened in the same manner through the marriage of Joram, the son of Jehosaphat and the grandson of Asa, with Athaliah, the daughter of Ahab and Jezebel (cf. "Chronological Data on the Dynasty of Omri," *JBL*, 59 [1940], 385-396). Thus a new golden age of economic prosperity was inaugurated through the genius, the foresight and the statesmanship of Omri.

Returning now to 2 Chron. 15.19, as we have seen, the statement there, that there was no war during the reign of Asa until his thirty-fifth year, is diametrically opposite to fact, as established by abundant biblical evidence. Perhaps the simplest solution of this problem is that the word לא has crept into the text in some inexplicable and irresponsible manner, and that the original reading of the passage affirmed that there was unceasing warfare throughout the first thirty-five years of Asa's reign. As we have seen, this was precise, historical fact. It is significant, therefore, that, while all the other versions agree with the reading of *MT*, *S* alone omits לא, and so affirms precisely what we would expect to read here. We may therefore regard this as definitive proof that 2 Chron. 15.19 read originally, ומלחמה היתה עד שנת שלשים, וחמש למלכות אסא. It is surprising indeed that, so far as can be discerned, no commentator has recorded this divergent reading of *S* and emended *MT* accordingly.

## E

## THE VINDICATION OF JEROBEAM I

(Note 310)

It is proper here to take up the cudgels in behalf of Jerobeam I and, in some measure at least, redeem his reputation as king of Israel, which has suffered so greatly and undeservedly at the hands of post-exilic, Judaic, Deuteronomic



historiographers. Every successive king of Israel, with the exception of Shal-lum, whose reign of one month (2 Ki. 15.13) was apparently too brief and insignificant for evaluation, and Hoshea, is condemned uncompromisingly by these interpreters of the history of Israel, because they followed in the way of Jeroboam I, "who caused Israel to sin against Yahweh," and thereby provoked Yahweh's righteous indignation against and punishment of the Northern Kingdom. The sin of Jeroboam, according to these writers, consisted in setting up the bull-images at the royal sanctuaries at Bethel and Dan and causing the Yahweh-worship of the Northern Kingdom to center about them. A similar charge is levelled by these Deuteronomic historiographers against Menasseh of Judah, because "by his idols he caused Judah to sin" (2 Ki. 21.11). As has been said already, there can be no question that by "the sin of Jeroboam," these Deuteronomic historiographers mean specifically the installation of these golden bull-images at the two royal sanctuaries. Their cultic use persisted throughout the entire existence of the Northern Kingdom, from the accession of Jeroboam I to the throne until the Assyrian conquest and exile (2 Ki. 17.21-23; this is also the testimony of Jud. 18.30 for the image in the sanctuary at Dan).

Now it is certain that Jeroboam I did not found the sanctuaries at either Dan or Bethel. Their sanctity as shrines dates unquestionably from the pre-Israelite period of civilization in Palestine, and quite probably goes back to the earliest historic, and perhaps even to pre-historic, times (so Jud. 18.30 implies). Certainly they had been centers of religious worship in Israel long before the time of Jeroboam I. Nor did he even initiate the worship there of Yahweh, represented in the form of an image, probably a bull. Jud. 18.30 states clearly that the worship of Yahweh in ephod form (i. e. a sacred tent with a cultic image or images in it; cf. "The Ark, the Ephod and the 'Tent of Meeting,'" 114-131) at Dan by Israel began already in the pre-monarchic period, when the Danites captured the city and installed in the sanctuary there the ephod, with its image, which they had stolen from Micah the Ephraimite, and also its priest, the grandson of Moses. All that Jeroboam I did, when he severed the northern tribes from allegiance to the dynasty of David and established the Northern Kingdom, was to raise both Bethel and Dan to the rank of royal sanctuaries, to revive there the ancient cult of Yahweh in the form of bull-images (cf. above, note 277), and to substitute for the former images which had stood in each of the two shrines, richer images of gold in bull-shape. (According to Jud. 17.3-5, the original image at Dan was made of silver). In so doing Jeroboam merely followed the example already set by Solomon, of installing a golden image of Yahweh, however in human shape, in the new Temple at Jerusalem (cf. "Amos Studies," III, 229 f.).

Manifestly then Jeroboam I did not inaugurate new sanctuaries at Dan and Bethel nor any new cult or ritual. He merely substituted these golden bull-images for the images which had formerly stood in both shrines, revived the ancient cult of these sanctuaries, and with this must, of necessity, have restored the pentecontad calendar and its system of agricultural festivals, all

celebrated in honor of Yahweh, as the god of the land and the bestower of agricultural blessing, the national deity of both Israel and Judah. This procedure was altogether natural. Moreover, since it represented practically a repudiation of all the solar elements of the worship of Yahweh, borrowed from the Phoenicians by Solomon and imposed by him upon Israel as the national religion, centering in the new Temple at Jerusalem, and was therefore actually a return to the older, simple, native, agricultural worship of Yahweh as the god of the land, it must have seemed both to Jerobeam I himself and also to his people a thoroughly pious act, unquestionably pleasing to Yahweh, as He was, from the earliest times, conceived and worshiped in Northern Israel, and therefore in every way praiseworthy. The very success of Jerobeam I in his rebellion from and succeeding dealings with Judah must have confirmed both king and people in their belief that what they had done was pleasing to Yahweh, their national god, and assured them of His favor.

It is very significant that 1 Ki. 22.53 draws a clear-cut distinction between "the way of Jerobeam b. Nebat" and "the way of Ahab and Jezebel," i. e. it appreciates the difference between the worship of the golden bull-images of Jerobeam I and the worship of the Phoenician deities, or even of Yahweh as a solar deity after the Phoenician pattern, with a luni-solar calendar and system of festivals, inaugurated in Israel by Ahab and Jezebel (cf. also the interpretation of 2 Ki. 3.2-3; 8.18 [above, pp. 409 ff.] and also 2 Ki. 8.27; 10.30-31; 21.3).

Also 2 Ki. 3.2-3 tells that Joram of Israel, the son of Ahab and Jezebel and the successor of his father upon the throne, "did that which was evil in the eyes of Yahweh, but not after the manner of his father and his mother; for he removed the image of the Baal which his father had made. However, he adhered to the sin of Jerobeam b. Nebat, who corrupted Israel, and did not turn aside therefrom." This passage is of great significance. As we have seen, it tells very clearly that already in the reign of Joram, the son of Ahab, and even with the approval and support of the new king, a reaction set in away from the worship of the Phoenician deities which Ahab and Jezebel had inaugurated in Israel, and probably also away from the solar cult and all its distinctive institutions, including, no doubt, the luni-solar calendar and the solar festivals, and back to what must have been considered the true and proper worship of Yahweh in Israel. In this the cult of the golden bull-images at Dan and Bethel played an integral, and even a central, role. This means plainly that, as we have learned, some anticipatory steps must have been taken, and perhaps even a beginning was made actually and successfully in the reign of Joram of Israel of the reformation, which was completed by Jehu in 841 B. C., when he became king, the reformation of which Elisha was the actual leader and of which the *dēbarim* of the C Code were the platform.

Certainly Joram did not initiate this reformation himself. As always, the professional prophets of the day must have been its instigators. Apparently, despite the provision of the C Code, recorded in Ex. 20.23, that images of Yahweh of silver or gold might not be made, these prophets took no offense and saw nothing improper or contrary to their principles in the golden bull-

images at Bethel and Dan, and so they allowed these to stand and their cultic use to continue as in the days of Jerobeam I. Undoubtedly they took these bull-images for granted, accepted them without question as something ancient, natural and unchallengeable. Ex. 20.23 must have been directed, not against these bull-images, but rather against the image of the Baal in Samaria, which Ahab had set up, and which Joram now removed, and against similar divine images of precious metal, which must have become fairly common in Israel during the more than a third of a century of economic prosperity in the reigns of Omri and Ahab, resulting from the alliance with Phoenicia.

This is the implication of 2 Ki. 10.18-31 also. These vv. tell how, immediately after his accession to the throne, Jehu purged the religious practice of Israel of all Phoenician, non-Yahwistic elements by destroying the Baal sanctuary in Samaria and exterminating its cultic functionaries, priests and prophets, and also its leading votaries. This was the climactic act of one aspect of the reformation, which, we have just seen, began a few years earlier, in the reign of Joram. Jehu enjoyed, in the fulfilment of this program, the support both of the prophets, under the leadership of Elisha, and of the Rekabites (2 Ki. 10.15-17). In fact he was guided in the carrying out of his entire program by the admonitions of the prophets. If, therefore, he, as well as Joram before him, allowed the golden bull-images at Dan and Bethel to stand undisturbed and their cult to continue, and even to flourish anew, it can mean only that the prophets, even Elisha, did not object to them nor see anything improper or in any way displeasing to Yahweh in their existence and use. Apparently Hosea, a full century after Elisha and Jehu, was the first prophet in Israel to perceive their implications clearly and to inveigh against these golden bull-images in the two royal shrines of the Northern Kingdom (Hos. 8.5; 10.5; 13.2).

It is clear then that the denunciation of Jerobeam I for making and setting up these images and the charge that thereby he corrupted Israel and caused it to arouse Yahweh's indignation and to incur His anger and eventual punishment in its destruction as a nation, reflect the point of view, not of the earlier prophets, contemporary with Jerobeam I or even later by a century or more, but only that of the prophets and historiographers of the Deuteronomic and post-Deuteronomic periods, to whom, in the tradition of Moses (cf. "The Ark, the Ephod and the 'Tent of Meeting,'" 131-161), the worship of images of any kind and under any condition whatever seemed the extreme manifestation of disloyalty to Yahweh and the ultimate sin. The denunciation of Jerobeam I for making the two golden bull-images, put into the mouth of Ahiyah of Shiloh (1 Ki. 14.6-16), must be therefore the work of these Deuteronomic historiographers and can, at the best, rest upon no more than a vague, historical tradition.

Judged by the standards of his own day, and this is, of course, the only true and fair measure of any man, Jerobeam I was a pious king, devoted to Yahweh, as he conceived Him after the ancient, traditional, agricultural pattern of his northern habitat and of his religious and cultural affiliations. He gave to one of his sons, presumably his oldest, a name in which Yahweh

was one of the component parts. He must have thought very sincerely, and in this thought he must have been encouraged by the approval of the prophets of his day, that he was not only leading a political revolution, which was to result in the division of the United Kingdom of David and Solomon and the establishment of the Northern Kingdom, with himself as its first king, but also that he was actually inaugurating a religious reformation, designed to turn the people of the Northern Kingdom away from the untrue, solar concept and worship of Yahweh, fostered by Solomon and centering in the Temple at Jerusalem, back to the true, ancestral, natural worship of Yahweh as the god of the land and the author and bestower of all its blessings of agricultural abundance and economic prosperity. Certainly he must have believed that he enjoyed Yahweh's approval and support in his entire program, including the setting-up of the golden bull-images at Bethel and Dan.

The revival then by Jerobeam I of the early, pre-Solomonic, agricultural religion of Israel, with its Northern royal sanctuaries, its conception of Yahweh primarily as an agricultural deity and its consequent representation of Him, in seeming disregard and even defiance of the Southern, Mosaic principle that Yahweh must be represented by no image, but, correspondingly, in strict conformity with long and firmly established Northern tradition, in the form of a bull, and, finally, with its ancient pentecontad calendar and system of festivals, which differed considerably in number, character and time of celebration from the official solar calendar and scheme of festivals of the United Kingdom under Solomon, was the arch-sin which these post-exilic, Deuteronomic historiographers ascribed to Jerobeam I and for which they denounced him so absolutely and even vindictively.

Yet it is clear now that Jerobeam I acted with the best and most sincere of intentions and commendable piety and even did what he must have thought would be pleasing to Yahweh and also to Yahweh's prophets. For actually all that he did, from the standpoint of the religion of Israel, was to repudiate the solar concept of Yahweh, the solar religion and the solar calendar, all of foreign origin, instituted by Solomon as the official religion of the nation, and in its stead restore the ancient, native, agricultural Yahweh religion.

Actually then he inaugurated a religious reformation, at least in some degree. In this he was supported, as was but natural, by the two Yahweh-prophets, Ahiyah of Shiloh and Shemayah. In fact the biblical record suggests that these prophets took the initiative and instigated Jerobeam to rebel against Solomon. In their minds, we may be sure, the religious reformation, rather than the political revolution, was the dominant motive. In a certain measure this reformation of Jerobeam I, instigated chiefly by Ahiyah and accompanied by a political upheaval, was the forerunner and pattern of the two later religious reformations, that in the South in 899 B. C., instigated by Azariah b. Oded, which resulted politically in the deposition of Maakah, the queen-mother and regent, and the bringing of Asa to active royal power, and that in the Northern Kingdom in 841 B. C., instigated by Elisha, which, politically, brought about the overthrow of the dynasty of Omri and the accession of Jehu to the throne. As is plain, those reformations, too, like that

of Jerobeam I, aimed at and achieved in considerable measure the abrogation, or at least the drastic modification, of the solar religion, festivals and calendar, which Solomon had introduced, and a return to the older, native religious practice, pentecontad calendar and agricultural festivals.

Manifestly Jerobeam I's program was, from the prophetic standpoint of his and the immediately succeeding day, wholly pious and commendable. Why, in the latter part of his reign, the very prophets, who had been his original supporters and instigators to rebellion, turned against him and paved the way for the overthrow of his dynasty, is not clear. Nevertheless it is apparent that in their unvarying condemnation of Jerobeam I the late Deuteronomic historiographers have grossly misrepresented and misvalued a really worthy man and an able and vigorous king of Israel.

In this connection it is gratifying to note that, on quite independent grounds, Vogelstein (*op. cit.*, 6, 17) likewise reached the conclusion that Jerobeam I reintroduced into Israel the reckoning of the year from a New Year's Day in the spring. His grounds for this conclusion are, however, stated only vaguely and illusively.

## F

### THE PLACE OF THE MATZOT IN THE EXODUS TRADITION

(Note 312)

Originally the matzot could have had no place in the tradition of the exodus and no connection whatever with the Passover or with the concepts and principles basic to it. This was essentially a festival of nomadic character, whose origins were out in the desert and from the pre-Canaanite period of Israel's history. The Matzot Festival and the matzot, on the other hand, were institutions of purely agricultural character, whose underlying principles, origins and primary connections were with agricultural Semitic peoples and lands, and specifically with Palestine. They were religious institutions borrowed, along with the pentecontad calendar and the entire agricultural civilization, from their Canaanite predecessors by the Israelite tribes after their settlement in the land. Manifestly then, not until a close association had been established between the Passover and the Matzot Festival could the linking of the eating of matzot with the Passover, and, secondarily, with the tradition of the exodus, itself integrated so closely with the Passover, have begun.

As we have already learned, it was the Deuteronomic Reformation under Hezekiah and Josiah which linked the two festivals to each other by making the Matzot Festival an appendage to the Passover and having it begin on the morning following the one-night celebration of the latter festival. Only then, and not before, could the legend of the first eating of matzot by the Israelites, following, and as an immediate consequence of, the hurried exodus (Ex. 12.34, 39), have arisen. Obviously, this legend disregarded completely and, by implication, even rejected, if it still knew, the true origin and the primary meaning



of the rite of eating the matzot and of the festival associated with it, and in its stead devised a purely fictitious, pseudo-historical explanation of the origin and meaning of the festival and of the ceremony which characterized it. In so doing it set the pattern for the later reinterpretation, in legendary, pseudo-historical manner, of the two other major agricultural festivals of the pentecost calendar, Asif-Sukkot (Lev. 23.43) and Shabuot (Jubilees 6.17-22).

In Ex. 13.2-16 the original J legislation for the Passover has been greatly reworked and expanded by Deuteronomic redactors. Actually only vv. 1-2, 12a, 13 are the original J legislation. The entire remaining portion of 13.1-16 is RD, and not even a literary unit at that. Only in this secondary, RD section of this chapter, vv. 3-10, is reference made to the eating of matzot during what is certainly, even though only impliedly, because of the position of this legislation, following immediately upon the Passover narrative and legislation in Ex. 12, the seven days Passover-Matzot Festival, to be celebrated, it is clear, after the Deuteronomic pattern. Actually the original J legislation in this chapter deals only with the sacrifice of firstlings and the redemption of first-born human beings. It stands just here, following immediately upon the Passover narrative and legislation, because from prehistoric times these two ceremonies were intimately associated with the Passover (cf. "The Oldest Document of the Hexateuch" 73-90, and especially pp. 86-88).

Likewise in Ex. 12, in those portions of this chapter which scholars usually ascribe to J, the matzot are referred to only in vv. 34 and 39. Actually v. 39 follows, both logically and stylistically, immediately upon v. 34. Undoubtedly the two vv. constituted originally a literary unit. Of the vv. which intervene between them at present, vv. 35-36, 38 seem also to have originally constituted a literary unit, in all likelihood either late J2 or RJ or even RJED. Certainly their connection, too, with the Passover narrative proper is loose indeed and altogether unessential. They, too, seem to be a late addition to the original narrative. V. 37 is unmistakably P, and must be linked immediately with v. 40 (cf. a study, scheduled to appear in a forthcoming number of *JBL*, entitled "The Despoiling of the Egyptians").

But even vv. 34 and 39 seem to have no essential connection with the primary J version of the exodus narrative. They associate the matzot only very loosely with the exodus, and therefore also with the Passover-Matzot Festival. Were they not here, they would not be missed, and the narrative would be complete without them. Actually 13.1-2, 12-13 seem to follow quite logically immediately, or almost immediately, upon the narrative in 12.29-33. They say implicitly that, because Yahweh had slain the first born of Egypt but had spared the firstborn of Israel, and thus had wrought Israel's deliverance from Egypt, the Israelites should henceforth, in connection with the celebration of their festival of deliverance, the Passover, sacrifice the firstlings of all sacrificeable animals to Him, and their own firstborn children they must also sacrifice in principle, but in actual practice, since Yahweh does not accept human offerings (cf. "The Oldest Document of the Hexateuch," 79-90), they must redeem. In other words, J, in its original form, manifestly made the sacrifice of firstlings and the redemption of firstborn, the all-essential cere-



mony of the Passover Festival, commemorate the exodus from Egypt. The matzot seem to have played no role whatever in the original J account of the exodus and of the origin of the Passover. Based upon the literary evidence alone, their connection with this tradition and with the festival seems to be late and somewhat vague and forced.

These considerations, too, suggest that not until the Deuteronomic reformation, when the Matzot Festival was linked with and made an appendage to the Passover, did the matzot come to acquire a setting in Israelite historical tradition and a historical motivation and to be linked with the Passover and the exodus. This will account for the manifestly artificial character of the little narrative in Ex. 12.34, 39. Until the Deuteronomic reformation the matzot had, of course, been connected only with the Matzot Festival itself. They were, as I have shown ("The Origin of Maṣṣoth and the Maṣṣoth Festival"), originally the last remains of the old crop, eaten sacramentally during the seven days of the festival, the last seven days of the year, so that the old crop, the crop of the old year, might be put completely out of the way before the new crop might be begun to be cut and eaten, on the day following the close of the Matzot Festival, the "day after the *šapattum*," the New Year's Day of the pentecontad calendar.

## G

## THE NEW YEAR'S DAY OF THE DEUTERONOMIC CALENDAR

## (Note 353)

The precise implications of this statement must be clearly understood. It must be borne in mind that, as we have shown earlier in this study, at the time of the Deuteronomic reformation the day was still reckoned from morning to morning. This means that the celebration of the Passover during the night of I/1 marked the climax of the festal observance of that day. The day had, of course, begun at sunrise preceding the Passover ceremonies. This entire day must have been sacred and must have been regarded as the New Year's Day of the Deuteronomic calendar. During this entire day, or at least during the greater portion of it, the people were either on their way up to Jerusalem in the festal pilgrimage, itself a sacred act, or else were actually present at the central sanctuary, the Temple in Jerusalem, in conformity with the prescriptions of Deut. 16.1-8. Their presence there contributed much to the effectiveness of the celebration of I/1 as the New Year's Day. However, as v. 7b states explicitly, the Matzot Festival proper, still distinct from the Passover, as we have learned, did not begin until the next morning, i. e. I/2. It must have continued as a home festival celebration for the traditional seven days, i. e. through I/8, with the sacred dance, the *ṛn*, on the seventh and final day (cf. "Supplementary Studies in the Calendars of Ancient Israel," note 100, pp. 63 ff.). In accordance with the explicit statement of Deut. 16.7, but contrary to the implication of 16.16, the secondary character of which is self-evident, the presence of the people at the central sanctuary was not required during the seven days of the Matzot Festival.

It may properly be asked, why is there no mention in Deut. 16.1-8 of this New Year's Day upon 1/1; for unquestionably this Deuteronomic calendar must have had its New Year's Day, and, as we have indicated, it must have fallen upon 1/1. This question can, of course, be answered only by conjecture. It seems quite probable that, in order to emphasize the primary importance of the Passover, in the fulfilment of their back-to-Yahweh program (cf. *op. cit.*, 54 f.) and to make the ancient Passover celebration paramount on this day, and to permit no detracting of any kind therefrom, such as the active performance of specific New Year's Day rites would certainly cause, these Deuteronomic legislators made no mention whatever of the New Year's Day character of this day. This consideration they preferred to keep altogether secondary to its Passover aspect.

Moreover, since this particular day had, apparently, never before been celebrated in Israel as the New Year's Day, there were no specific New Year's Day rites traditionally associated with it, as there had been with the former New Year's Day upon VII/10, the day of the fall equinox. In fact one of the primary goals of this Deuteronomic reformation, as we have seen, was to abrogate as completely as possible these old New Year's Day rites upon the day of the fall equinox, and particularly those which were rooted so deeply in solar considerations. Therefore it was not at all unnatural that these Deuteronomic reformers should have minimized the significance of 1/1 as the New Year's Day and instead have stressed its character as the day of the Passover.

Also it must not be forgotten that, in thus reviving, as it were, the ancient Passover and making it the major festival of their religious calendar, these Deuteronomic reformers were seeking in an eminently practical way, in pursuance of the general prophetic principle and program, to revive likewise, insofar as this was still possible in their relatively late day and in the midst of an agricultural civilization, the religion and the religious institutions of the period of Israel's sojourn in the desert as a nomadic or semi-nomadic people. According to prophetic theory (cf. Jer. 2.2-7; 31.1-2; Hos. 2.16; 9.10; 13.5,15), this was the time when Israel's relations with Yahweh were right and true. This period these prophetic reformers were seeking to recall, at least as they imagined it to have been, and to whatever degree was possible; and so they revived the Passover, as we have said, a festival of purely desert origin and pastoral character. But, so far as we know, the religion and culture of Semitic nomads and semi-nomads has never taken formal cognizance of a New Year's Day as such. So far as they conceived of a New Year's Day at all, the Passover played this role for them fully and adequately; for it marked the natural beginning of a new year or a new period of time reckoning in their pastoral, nomadic or semi-nomadic existence. Therefore also, quite naturally, these Deuteronomic reformers made no special provision for a New Year's Day in their calendar, but instead quite incidentally regarded the day of the Passover, viz. 1/1, as marking the beginning of the new year.

These various considerations seem to account adequately and with much probability for the total lack of reference to a New Year's Day in the Deuteronomic festival legislation in Deut. 16.1-15. In this connection it should be

noted also that 2 Ki. 23.21-23 seems to imply that in the festival calendar introduced by Josiah, i. e. the festal calendar of Deuteronomy, not only was the Passover the major festival of the religious year, but also it was the day upon which Josiah solemnized the new covenant between Yahweh and Judah, which was, of course, based upon the Deuteronomic Code, "the book of the covenant" of which this passage speaks. Likewise 2 Chron. 34.29-33 seems to have the same implication, viz. that the new covenant under Josiah was solemnized on I/1; but, since the Chronicler naturally conformed to the festival calendar of the Priestly Code, this day was not the Passover itself, since the celebration of the Passover-Matzot Festival began, according to him some two weeks later, on I/14. Likewise 2 Chron. 29.3, 17, 20-36 seem to imply that the Chronicler held that the covenant under Hezekiah, in the fourteenth year of this king, was solemnized in connection with, or, more precisely, at what would normally have been the proper time for, the celebration of the Passover. Certainly vv. 3 and 17 imply clearly that in the days of Hezekiah I/1 was regarded as a day of particular sanctity, and that the memory of this, despite his own divergent festival calendar, persisted in the mind of the Chronicler. All this confirms our conclusion that in the Deuteronomic calendar, employed by both Hezekiah and Josiah, I/1 was regarded as the New Year's Day. This conclusion finds added support in the persistent Jewish tradition that I/1 was the New Year's Day of kings, i. e. the day from which the regnal years of the kings of Israel and Judah were reckoned (cf. "The New Year's Day of Kings"). It would accordingly have been upon the New Year's Day upon I/1 in the fourteenth year of Hezekiah, according to the one system of reckoning his regnal years, that the new era inaugurated by him (cf. Vogelstein, *op. cit.*, 2-6) would have begun.

## H

### THE SO-CALLED "THRONBESTEIGUNGSPSALMEN"

(Note 368)

Those psalms, such as 96-99, whose major theme is the coming of Yahweh into His Temple upon the New Year's Day, there to sit enthroned as the divine, universal King and to judge the nations and all mankind and fix their fortunes and fates for the new year just beginning. That the psalms which properly belong to this category were all New Year's Day psalms has long been recognized by scholars and has been demonstrated most convincingly by Mowinckel (*Psalmstudien*, II). Mowinckel has designated these and many other psalms, whose inclusion in this category may, however, be strongly questioned, as "Thronbesteigungspsalmen." The term is more convenient than precise or justifiable, for much more of the character and ritual of the New Year's Day and of more transcendent importance is implicit in these psalms than merely Yahweh's ascension of His throne as universal King.

Mowinckel's work was published in 1922. At that time he could not have been acquainted with the history of the calendar in ancient Israel. He assumed, quite naturally, that the calendar of the Priestly Code had always been the calendar employed in both Israel and Judah from the most ancient times. Accordingly he set the New Year's Day from of old upon VII/1, a day of purification of the Temple, which later developed into Yom Kippur, upon VII/10, and the Sukkot Festival upon VII/15-22. He perceived clearly that these psalms had a primary connection, not only with the New Year's Day, but also with the harvest festival, Sukkot, and also to a certain extent with what he calls the day of purification of the Temple upon VII/10. Again and again he is hard pressed to correlate these ideas and their respective festivals, which in his calendar were spread out over a period of more than three weeks, and which also seemed to have no internal correlation and basic unity. Could he have realized at that time what this study has made clear, that at different moments in the history of Israel and Judah various days were observed as the New Year's Day, some of which had no possible connection with the Sukkot Festival or with the day of purification of the Temple upon VII/10, and especially could he have realized that it was only in the luni-solar calendar, inaugurated by Solomon and so intimately associated with the first and second Temples in Jerusalem, that this basic connection between these three festivals of the P calendar really existed, that in this luni-solar calendar the Asif Festival, the forerunner of the post-exilic Sukkot Festival, was celebrated from VII/3 through VII/10, and that it reached its climax in the celebration of the New Year's Day upon the last day of this festival, VII/10, the day of the fall equinox (cf. "The Three Calendars of Ancient Israel" and "Supplementary Studies in the Calendars of Ancient Israel"), and could he have been acquainted also with the all-important ceremony of the coming of the first rays of the rising sun through the open eastern gate of the Temple upon the morning of VII/10, the equinoctial New Year's Day (cf. "The Gates of Righteousness"), he would undoubtedly have modified substantially many of his conclusions and others he would have interpreted differently and established much more precisely than he was able at that time to do.

Moreover, he has stressed the theme of Yahweh's ascension of His throne upon the New Year's Day far out of proportion, for actually this was only an incident in the celebration of the New Year's Festival, preparatory to Yahweh's functioning as universal Judge (cf. Gen. 18.25), and has disregarded or minimized other basic elements of the nature and celebration of this all-important festival.

Perhaps the greatest flaw in his chain of reasoning is his assumption, altogether gratuitous, that the Temple was from the very beginning the dwelling-place of Yahweh. As we shall soon see clearly, not until the erection of the third Temple, by Ezra, about the middle of the fifth century B. C., did the concept evolve that Yahweh actually dwelt within it permanently in the midst of Israel (cf. note 378). During the period of the first and second Temples, i. e. during the entire pre-exilic and early post-exilic periods, Yahweh was conceived of as dwelling in heaven and as coming into the Temple only

once in the year, at dawn of the New Year's Day, coming with the first rays of the rising sun. There He was thought to remain only for that one day, enthroned in the midst of His heavenly court, judging and determining the fate, for the new year just beginning, of all His creatures, heavenly and earthly (cf. "The Mythological Background of Psalm 82"), and especially, particularly in the pre-exilic period, of His people, Israel (cf. "Amos Studies, III," 298-304), and in the post-exilic period, after Deutero-Isaiah's proclamation of his theory and program of universalism, of all the nations and all mankind. Zech. 6.1-5, coming from 516 B. C., the year of the dedication of the second Temple, represents Yahweh as dwelling normally beyond the two copper mountains, the two cosmic peaks at the eastern horizon, between which, as is depicted graphically upon Akkadian monuments (cf. Gressmann, *Altorientalische Texte und Bilder*, II, nos. 319, 320, 321), Shamash, the sun-god, steps forth majestically every morning. In this divine judgment scene upon the New Year's Day the enthronement of Yahweh, i. e. His taking His seat upon His throne in the body of the Temple at Jerusalem, surrounded by His heavenly host, was merely an incident and not at all a major procedure or ceremony.

Furthermore, Mowinckel's altogether unproved and only partially correct assumptions of the nature of the annual procession with the ark and of the annual reascension of the throne by the true, mortal king of Israel, with regard to both of which we shall have something to say later in this study, confuse and weaken not a little his entire argument and the far-reaching conclusions at which he arrives.

Inasmuch also, as we shall soon see, in the third Temple a purposed and eventually a successful effort was made to terminate completely the ceremony of the entrance of Yahweh into the Temple in the form of the first rays of the rising sun through the open eastern gate upon the equinoctial New Year's Day, and, of course, with this His throne ascension, with the clear implication that from the time of Ezra on this entire ceremony and all its underlying implications were looked upon askance, it follows that these so-called "Thronbesteigungspsalmen" could not possibly have been composed during the period of the third Temple, i. e. after the middle of the fifth century B. C. On the other hand, their pronounced universalism as well as many other cogent considerations, into which we may not enter here, suggest strongly that most, if not all, of them could not possibly have been composed in the pre-exilic period nor prior to the time of Deutero-Isaiah. These considerations point directly to the conclusion that these psalms must have been composed during the period of the second Temple, 516-485 B. C., when, we know, the ceremony of the opening of the eastern gate of the Temple upon the New Year's Day upon VII/10, the day of the fall equinox, and of the coming of Yahweh in the radiant form of the first rays of the rising sun was still in full swing. This dating departs radically from that of Mowinckel, who assigns the large majority of these "Thronbesteigungspsalmen" to the early pre-exilic period. His work is monumental and exceedingly suggestive and stimulating, but also must be used with much caution.



## I

## THE CALENDAR OF EZEK. 45.18-25

(Note 385a)

In this connection the calendar, or, more precisely, the fragment of a calendar, recorded in Ezek. 45.18-25 is interesting and even illuminating.

That it has the  $\text{זמ}$ , i. e. the Sukkot Festival, begin on VII/15 and continue for seven days shows that basically this is the P calendar, in the same or much the same form as this is recorded in the secondary, Priestly strata of Lev. 23 and again in Num. 28.16-29.39. But the fact that here the festival endures for only seven days, with absolutely no suggestion of an eighth sacred day, Shemini Atzeret, as in Lev. 23.36 and Num. 29.35-38, indicates that the legislation in Ezek. 45.25 specifically, and impliedly also in the entire passage, records the calendar of the Priestly Code in an early stage of its evolution, before the eighth day, Shemini Atzeret, was added to the earlier seven days festival period.

Moreover, the fact that the festival is here designated by the simple name,  $\text{חג המנוחות}$ , "The Festival," and is not called by the specific title,  $\text{חג הסוכות}$ , "Festival of Booths," suggests that at the time of the composition of this legislation this latter name for the festival had not yet evolved (cf. "Supplementary Studies in the Calendars of Ancient Israel," 61 ff., note 97; 142, note 230).

Furthermore, the precise dating of the festival, beginning on VII/15, identical, as we have seen, with the provision in Lev. 23.33-35, suggests that here, just as there, the day was still reckoned from morning to morning, and not yet by what, we have learned, was the later system of time-reckoning in the Jewish community of Palestine, from evening to evening.

Likewise, the provision in vv. 18-20 for the ritual purification of the Temple regularly twice each year, on I/1 and VII/1, with no suggestion whatever that VII/1 was the New Year's Day, establishes with certainty that this calendar legislation here is somewhat earlier than the calendar legislation of P, in Lev. 23.23-25 and Num. 29.1-6, which sets the New Year's Day upon I/1. This conclusion finds in this provision, that the Temple was to undergo ritual purification twice each year, on these two days, striking confirmation from another angle; for Lev. 16.16-17a provides for the ritual purification of the Temple only once in the year, but that upon Yom Kippur. Clearly this calendar legislation in Ezek. 45.18-25 did not yet know of Yom Kippur as the most important festival in the Jewish religious calendar and of the ritual purification of the Temple on that day. In fact it did not know of Yom Kippur as such at all, for, on the one hand, had it known of this particular, most sacred day, it could not have been entirely silent with regard to it in its calendar program. And on the other hand, Ezek. 40.1 establishes with certainty that still in the calendar of Ezek. 40-48 the New Year's Day was observed upon VII/10.

All this cumulation of evidence in matters basic to the calendar confirms strongly our conclusions, stated above, that this calendar program set forth



in Ezek. 45.18=25 represents an early stage in the evolution of the calendar of the Priestly Code.

Still one other consideration, of extreme importance, enables us to fix the period of composition of this calendar with almost complete certainty. Ezek. 45.22 establishes clearly something of the nature of the office of the נשיא. Manifestly, the tacit assumption here is that there is only one נשיא at a time and that he is the single lay head of the Jewish community. This term, נשיא, is of extreme interest and significance. In Jer. 10.13; 51.16; Ps. 135.7; Prov. 25.14 the plural, נשיאים, is used to designate some manifestation of nature, perhaps clouds, as *G* renders it. Otherwise the word always designates a person of exalted rank in the community.

Very significantly, the term begins to be used with this connotation only in the Book of Ezekiel and continues in use in the literature of the exilic and post-exilic periods, however, with a very illuminating range of meanings. In Ezek. 26.16; 27.21; 30.13; 38.2, 3; 39.1, 18 it connotes obviously "supreme rulers; kings (who are seated upon thrones)," all with relation to foreign nations. In Ezek. 19.1, where undoubtedly, with some of the versions, the singular should be read, and probably also in 21.30 the term connotes the king of Israel. On the other hand, in Ezek. 7.27; 21.17; 22.6; 32.29 and possibly also in 12.12 נשיא seems to mean no more than "nobleman; aristocrat," one subordinate to the king. The precise meaning of the term in Ezek. 12.10 is uncertain, due to the obscurity of the verse. These passages obviously reflect the usage of the term at the close of the pre-exilic period.

But when we come to the literature of the end of the exile and of the early post-exilic period, we find that the term has acquired a somewhat new and much more specific connotation. Ezra 1.8 records that Sheshbazzar נשיא ליהודה. Obviously here נשיא designates the lay head of the Jewish community of Palestine, recognized by the Persian government as its governor in all internal matters and as spokesman or mediator of the Jewish people with the royal administration. Also in Ezek. 34.24; 37.25, both passages coming certainly from the late exilic or very early post-exilic period, the נשיא is the governor or ruler of Israel, and is likewise regularly a descendant of David. This is the implication of 1 Ki. 11.34 also. Lev. 4.22, a passage from Pt, which therefore reflects the ritual procedure during the period when the second Temple was standing, i. e. 516-485 B. C., likewise knows of the נשיא as the single, lay head of the Jewish community of Palestine. Just this is likewise the implication of Ex. 22.27; for, as I hope to establish convincingly in "The Book of the Covenant," IV, whenever I may be able to complete that portion of my former study of that document, that particular category of laws in the Book of the Covenant to which Ex. 22.27 belongs, which I have called מצות, "Commandments," ethical precepts unassociated with any prescribed punishment for their violation or disregard ("The Book of the Covenant," II [HUCA, VII { 1930 } ], 23) are all the product of the early post-exilic period. It would seem from all this evidence that perhaps during the exile itself, and certainly during the early post-exilic period, the native, Jewish lay head or governor of the Jewish community of Palestine regularly bore the title, נשיא.

Ezek. 45.8-9 speaks of a succession of such *נשיאים*, governors, who had administered the affairs of the Jewish community with marked injustice, oppression and rapacity.

Now it is significant that in Ezek. 40-48 the *נשיא* is referred to frequently as the native, Jewish governor or lay administrator of the Jewish community of Palestine (44.3; 45.7, 16; 46.2, 4, 8, 10, 16, 17, 18; 48.21, 22). There is only one person of this category at a time. His role is obvious. There can therefore not be the slightest doubt that, just as we have concluded from an abundance of other evidence, Ezek. 40-48 must come from the early post-exilic period.

This conclusion is confirmed by the fact that in the Priestly Code proper, i. e. Pg and P2, the term, *נשיא*, has a somewhat different connotation. It no longer designates the one, single, lay head of the Jewish people or community. In Pg and P2 the official head of the Jewish community in Palestine is the *כהן גדול*, the "high priest" (cf. "A Chapter in the History of the High-Priesthood," *AJSL*, LV [1938], 41-58). And the community itself is no longer the *קהל יהוה*, "the community of Yahweh," but is instead designated regularly as the *עדה ישראל*, "the assembly of Israel." It is represented, theoretically, as consisting once again, or perhaps, by implication, as consisting still, of twelve lay tribes plus the consecrated, priestly tribe of Levi. At the head of each tribe stands a *נשיא*. These twelve *נשיאים*, with the high-priest presiding over them, constitute the administrative body, the senate or sanhedrin, as it may be called descriptively, if not actually (cf. Num. 27.1-11; cf. also Ex. 34.31; Josh. 22.14). To it are referred all questions of law for which there is no adequate legal precedent. The decisions of this body become the official law of the entire people. References to these tribal *נשיאים* are frequent in P and in subsequent literature (in addition to the passages already cited cf. also Gen. 17.20; 25.16; Ex. 34.31; Num. 2.3-29; 3.24-35; 7.11-78; 13.2; 17.21; 25.14; 34.18-28; Josh. 22.14; 1 Chron. 2.10; 4.38; 5.6; 2 Chron. 1.2). The manifest import of these passages establishes once again and beyond all possibility of doubt that Ezek. 40-48, which knows of the *נשיא* only as the single, lay, administrative head of the entire people, must have been composed prior to the reorganization of the Jewish community of Palestine as the *עדה ישראל*, under the administration of the high-priest, i. e. prior to 411 B. C. Accordingly it must have been composed not earlier than the dedication of the second Temple in 516 B. C. and not later than 411 B. C.

Returning to the consideration of Ezek. 45.18-25, it should now be completely clear that it reflects the calendar of the Priestly Code in an early stage of its evolution, when, even though it is not explicitly so stated, the New Year's day was still observed to some degree on VII/10 and had not yet been transferred to VII/1. But the transfer of the Sukkot Festival to VII/15-21 had already taken place. With this had certainly gone hand in hand the transfer of the Matzot Festival to I/15-21, again precisely as in Lev. 23.6-8 and Num. 28.17-25. Here, too, just as in D and H, the Passover was inseparably linked with the Matzot Festival, and so was celebrated on the night preceding the beginning of the Matzot Festival, on I/14, just as in Lev. 23.5 and Num. 28.16. However, as I have already pointed out, in "Supplementary

Studies in the Calendars of Ancient Israel," 103-107, note 166, the text of Ezek. 45.21b is seriously out of order. Unquestionably this half-verse must have read originally precisely or almost precisely as in Num. 28.17, ובחמשה עשר יום לחדש הזה חג שבועת ימים מצות יאכל (note also almost precisely the same reading in Lev. 23.6). But with this reading it becomes clear once again that here in Ezek. 45.18-25 we have the calendar of P in an early stage of its development.

Moreover, we may be certain that the present, confused form of v. 21b is not the result of accident or of natural textual corruption. What is missing from the original reading must have been expunged deliberately by some late P editor in order to make the date of the combined Passover-Matzot Festival here agree with that given in Ex. 12.16-19. As it now stands, Ezek. 45.21-24 implies clearly that the combined festival was to begin on the night of I/14 and continue for seven days, i. e. through I/20 or until the eve of I/21, precisely as Ex. 12.18 specifically enjoins. The day is obviously here reckoned from evening to evening. That this was not the reading nor the import of the original text of Ezek. 45.18-25 is self-evident. And both the reason for and the relatively late date of this modification of the original text are readily apparent.

Recognizing that in its original form Ezek. 45.18-25 records an early stage in the evolution of the calendar of the Priestly Code, we may now inquire as to at least its most approximate date and also its probable authorship. But one conclusion is possible. We have already affirmed, on the basis of various strands of evidence, that Ezek. 40-48 is not at all the work of the prophet Ezekiel himself, but comes from the age and the immediate environment of Ezra, i. e. at about 460-450 B. C. Inasmuch as we have had cumulative evidence that this calendar legislation in Ezek. 45.18-25 must have come from some moment in the period, 516-411 B. C., and inasmuch, too, as sufficient time must be allowed between the composition of this calendar legislation and 411 B. C. for the important office of the high-priesthood to have evolved, there is every reason to regard this calendar, too, as the work of Ezra and his associates, and therefore to assign it, too, to the period, 458-450 B. C.



דעת בעל השאלות היא כמו כן שהתיו בתומיך גורלי והתיו בתשורי למלך היא אות היסוד ולא אות השרת. ועיין מפרשים לשני הפסוקים. סעדיה גאון גור חשורי מן תשורה (שמואל א' ט', ז') אבל דונש (תשובות, ע' 20) חלק עליו. מחלוקת דומה ברבר תיו וס היא אות היסוד או אות השרת היתה בין סעדיה ובין דונש בנוגע למלת חלף (ב. קלאר על „אשא משלי“, תרביץ, שנה י"ד, ע' 160). [שכטר – ספר השרשים לריב"ג, ע' 504]; אבן עזרא לישעיהו נ"ז, ט'. בנוגע לתומיך גורלי [שכטר – עיין בספר הגלוי לריק"ם, ע' 161].

## שאלה קג

(ע' נ"ד, שו' 14)

איך אפשר לבאר מה שמסופר בתורה שעברו מאה וחמשים יום משבעה עשר יום לחדש השני עד שבעה עשר יום לחדש השביעי (בראשית ז', י"א-ח', ד'). האין להוכיח מזה שכל החדשים הם של שלשים יום?

כבר חז"ל הרגישו בקושי הזה ולפיכך בארו בחדש השביעי (בראשית ח', ד') לא שביעי לחדשי השנה כ"א שביעי לחדש אשר בו פסקו הגשמים. עיין סדר עולם רבא, פרק ד.

סעדיה דן בחליפת האותיות בשער החלופין של ספרו כתאב אללגה (ספר הלשון). החלק הזה של ספרו עוד לא נתפרסם, אבל כפי שאפשר לראות מן המדקדקים שהכירו את ספרו סעדיה הרחיק ללכת בתורת חלופי האותיות. עיין בתשובות רונש על סעדיה, הוצאת שרעטער, מספרים 98, 115; שפת יתר לראב"ע, מספר 81. ע"ג בכר נצני הרקדוק, ע' 49, הערה 6.

ע"ג בפירוש לספר 'צירה לר' יהודה בן ברזלי הברצלוני, הוצאת שז"ה, ע' 160 וא': ויש תיבה שמקדים אות ומאחר אות בלי חלוף פרושם ויש תיבות למפרע בכל אותיותיה... ויש אחרים כבש כשב שמלה שלמה ויחגרו ויחרגו הכעסים וכל הרומין לאלו תבקשנה תמצאנה תלי תלים. ע"ג בספר הרקמה לאבן ג'נאח הוצאת מ. וילנסקי, ע' קי"ג. ובפרטיות לרגע – ספר הרקמה כנ"ל; לויפצור אגרון לדור אלפאסי, הוצאת סקו, ח"ב, ע' 476; לשחים – כנ"ל, ע' 314. לעלגים – נשכטר – עיין ספר השרשים לאבן ג'נאח, ע' 246], ואגרון כנ"ל, ע' 399. למלחעות – אגרון כנ"ל, ע' 179. לעכשוב נשכטר – עיין רש"י לתהלים ק"מ, ד' ולקוטי קדמוניות לפינסקר, ע' רי"ב].

## שאלה קא

(ע' נ"א, שו' 34)

איך אפשר לבאר את תמורת האותיות (permutation) במלים הבאות: קפור (ישעיהו ל"ד, י"א) – קפח (שם, ט"ו); יעלח (תהלים צ"ו, י"ב) – יעלוך (דברי הימים א' ט"ז, ל"ב); ימקו (ויקרא כ"ו, ל"ט) – ימכו (תהלים ק"ו, מ"ג)?

עיין בשאלה הקודמת. בנוגע לקפור נשכטר – עיין לקוטי קדמוניות כנ"ל, ע' רי"ד [אגרון כנ"ל, 564. ע"ג ברש"י וברד"ק לישעיהו ל"ד, ט"ו. שונה היא דעת הראב"ע הכותב: קפח איננו כמו קפור רק עוף אחר. עיין התורן, שנה ט' (ניסן, תרפ"ב), 64–65. בנוגע ליעלח, עיין אגרון כנ"ל, 399, 402. לימקו עיין בתרגומו של סעדיה לויקרא כ"ז, ל"ט אשר מתרגם ימקו. יכשעון ז"א כאלו היה כתוב ימכו נפעל מן נמך.

## שאלה קב

(ע' נ"א, שו' 35)

מספר השמות אשר מתחילים בתיו שאינה משרתת הוא חמשה מלבד תומך גורלי (תהלים ט"ז, ה') ותשורי למלך (ישעיהו נ"ז, ט').

דעת בעל השאלות היא כי התיו בשמות כגון תנומה, תנופה, תקופה, תרומה, תשורה וכו' היא תיו היסוד ולא תיו השרת. זאת היא דעת מנחם בן סרוק (מחברת מנחם, ע' 186, תקף). עפ"י רונש בן לברט (תשובות רונש, 37) התיו בשמות האלה היא תיו השרת. כונת בעל האוסף בדברים: חמשה הנה הנם היא בלתי ברורה לי.



## שאלה צח

(ע' נ', שו' 25)

מהו פתרון החזיונות השונים אשר ראה דניאל?

כידוע חופסים חזיונות דניאל מקום מרכזי בספרות האפוקאליפטית הקדומה ובקבלה.

## שאלה צט

(ע' נ"א, שו' 26)

איזו תועלת יש בספורי כפל בתנ"ך כגון: מספר העולים מתל מלח (עזרא ב', נ"ט; נחמיה ז', ס"א); בנין בית המקדש הראשון (מלכים א' ו', א'; דברי הימים ב' ג', א'); תפלת שלמה המלך (מלכים א' ח', כ"ב; דברי הימים ב' ו', י"ג); שמות גבורי דוד (שמואל ב' כ"ג, ח'; דברי הימים א' י"א, ט'); ספירת ישראל ע"י דוד (שמואל ב' כ"ד, א'; דברי הימים א' כ"א, א'); מיתת שאול (שמואל א' ל"א, א'; דברי הימים א' י', א'; מיתת יהושע ויהושע כ"ד, כ"ט; שופטים ב', ח'); מיתת שמואל (שמואל א' כ"ה, א'; שמואל א' כ"ח, ג'); ביאת סנחריב (מלכים ב' י"ח, י"ג; ישעיהו ל"ו, א'); חורבן הבית (מלכים ב' כ"ה, א'; ירמיהו נ"ב, ד') וכאלה רבות.

חשובת בעלי המסורה וגם סעדיה על השאלה הזאת היתה, כי בשני זמנים ובשני עתים דבר הנביא ובשני מקומות. עיין דקדוקי הטעמים, 9, 50, 82.

## שאלה ק

(ע' נ"א, שו' 31)

איך אפשר לבאר את חליפת האותיות (metathesis) במלים הבאות: א. גוער בים (נחום א', ד') – רוגע הים (ישעיהו נ"א, ט"ו; ירמיהו ל"א, ל"ד); ב. ויפצר (בראשית י"ט, ג') – ויפרץ (שמואל ב' י"ג, כ"ה); ג. שחים (ישעיהו ל"ז, ל') – סחיש (מלכים ב' י"ט, כ"ט); ד. עלגים (ישעיהו ל"ב, ד') – לעגי שפה (ישעיהו כ"ה, י"א); ה. מלתעות (תהלים נ"ח, ז') – מתלעות (איוב כ"ט, י"ז); ו. עכשוב (תהלים ק"מ, ד') – עכביש (איוב ח', י"ד).

עיין דקדוקי הטעמים, ע' 8, 10: סדר סוד התבות אשר במקרא חצובות, מתחלפים הרבה באותות ובכמה פנים נכתבות... מהם דברים בלשון שוים ובכתב מחולפים... כי יש במקרא כמות זה ארבעים ושבע תיבות נכתבים מוקדם ומאוחר... אלא אמר הנביא וציוויו שיכתב מוקדם ומאוחר... והמשכילים יבינו.

עמדו לפרס עד הקמת הבית וסדרם היה: כורש, אחשורוש ודריוש הפרסי אשר בימיו נבנה הבית. ע"ג פחננסקי, פירושו של סעדיה גאון לדניאל, הגרן, ב', 96. סדר המלכים היה עפ"י סעדיה: כורש, אחשורוש ואתחששתא (ו"א דריוש הפרסי). עפ"י ספר העשר סדר המלכים היה: כורש, אחשורוש, אתחששתא הקטן, דריוש הפרסי ואתחששתא הגדול. הרביעי" שבדניאל י"א, ב' הוא איפוא הרביעי מלבד כורש.

יש להעיר על דרש אחד בתלמוד (ראש השנה ג', ע"ב) אשר הכנים ערבוביה בסדר מלכי פרס והוא הדרש: הוא כורש הוא דריוש הוא אתחששתא. סע"ר, ל' (הוצאת ראטנער, 136). רוב מפרשי המקרא דחו את המאמר. עיין ראב"ע בפירושו הקצר לשמות, הוצאת פליישר, 8; שפה ברורה לראב"ע, הוצאת מ. וילנסקי, דביר, ח"ב, 291. ע"ג מאור עינים לעזריה מן האדומים, אמרי בינה, פרק י"ח, Jahr-buch der Jüdisch-Literarischen Gesellschaft, XVII (Frankfurt a.M., 1926), 325 ff.

## שאלה צו

(ע' נ', שו' 23)

כמה שנים ממלכות המלכים בשאלה הקודמת נפלו בימי שבעים שנות גלות בבל?

עפ"י סע"ר (כ"ז) עברו נ"ב שנים מחורבן הבית עד מלכותו של כורש. את החשבון של נ"ב שנים מן החורבן עד כורש ו"א שמלכי פרס מלכו תשע עשרה שנה משבעים שנות הגלות) אנחנו מוצאים בכל הכרוניקות של ימי הבינים. עיין סע"ר כ"ט (הוצאת ראטנער, 134). ילקוט שמעוני, ח"ב, רמז תתרס"ג.

## שאלה צו

(ע' נ', שו' 25)

סתירה בין ירמיה כ"ה, א' ודניאל א', א'. עפ"י ירמיה כ"ה, א' השנה הרביעית ליהויקים היתה השנה הראשונה לנבוכדנאצר, ועפ"י דניאל א', א' נבוכדנאצר צר על ירושלים בשנה השלישית ליהויקים.

החכמים טפלו בשאלה זו. עיין סע"ר כ"ה (הוצאת ראטנער, 110); ילקוט שמעוני, ח"א, רמז רמ"ח. תשובתם היתה: מה ת"ל שנת שלש, שלש למרדו. ע"ג ספר העשר למקום.

הרבה פירושים לפסוק הזה. סעדיה גאון מבאר צנות – סלי לחם מן צנא בארמית, טנא בעברית. גם אבן ג'נאח בספר השרשים (ע' 433) כותב: הצדי והנון... ונשא אתכם בצנות כלים כדמות סלים. ועיין רד"ק שמביא פירושים שונים. על ההרמונה, עיין תרגום המתרגם: להלאה מן טורי הרמיני. ודומה לזה אלאגרון לרוד אלפאסי וספר העשר. גם אבן עזרא כותב: אולי ההרמונה שם מקום. הרד"ק מביא בשם אביו ר' יוסף קמחי שהרמונה כמו ארמון, בחלוף הא באלף.

## שאלה צג

(ע' נ', שו' 20)

בשביל מה באה הפא קודם לעין בפרקים ב'–ד' של איכה?

השאלה הזאת כבר נשאלה בתלמוד ובמדרש. עיין סנהדרין ק"ד, ע"ב: בשביל מה הקדים פה לעין בשביל מרגלים שאמרו בפיהם מה שלא ראו בעיניהם. במדרש איכה רבתי המאמר הולך וחוזר ונשנה שלש פעמים בשלשת הפרקים. נ"י זנה – השאלה היא מדוע רק בפרקים ב'–ד' קדמה הפא לעין, ואילו בפרק א' הא"ב בסדר. המאמר בסנהדרין ובמדרש איכה אינו נותן תשובה על שאלה זו.

## שאלה צד

(ע' נ', שו' 21)

איך אפשר להבין את המסופר באסתר (ב', י"ט): ובהקבץ בתולות שנית, הלא לא נזכר בספר אסתר שאחשוורוש צוה לקבץ בתולות שנית.

עפ"י התלמוד (מגילה י"ג, ע"א) מרדכי יעץ לאחשוורוש שיקבץ עוד פעם את הבתולות מכל הארץ. עיין גם תרגום שני: ובתולתא האילין למה אתכנשו תנינות. וע"ז בתרגום הסורי לאסתר (מובא מאת כהנא, הערה 138).

## שאלה צה

(ע' נ', שו' 23)

מה היה הסדר הכרונולוגי של המלכים: כורש, דריוש, ארתחששתא ואחשוורוש?

כפי הנראה דעת בעל האוסף היא שקמו לפרס ארבעה מלכים עד הקמת הבית השני מלבר דריוש הראשון המדי. עפ"י ההשקפה הזו, הרביעי" שברניאל י"א, ב' משמעו הרביעי לכורש. חז"ל בארו, הרביעי" הרביעי לדריוש המדי. עפ"י התלמוד (מגילה י"א, ע"ב) וסע"ר (כ"ח, הוצאת ראטנער, 129) רק שלמה מלכים

עיין בילקוט שמעוני, ח"ב, רמז תקכ"ח: בכה ויחנן לו, איני יודע מי בכה...  
 הוי אומר מלאך בכה ליעקב. רוב המפרשים, וראב"ע ורד"ק בכלל, הולכים אחרי  
 המדרש שהמלאך בכה. אבל ישנם אחרים שמבארים שיעקב בכה. עיין בפירוש  
 הקראי העתיק אשר מאנן פרסם ברבועון האנגלי (סדרה חדשה), כרך י"ב, ע' 495.

### שאלה פט

(ע' נ', שו' 15)

מהו הסדר בדברי הנביא עמוס: על שלשה ועל ארבעה לא אשיבנו (עמוס  
 א', ג', ו', ט', י"א, י"ג; ב', א'; ד', ו')?

כפי הנראה השואל חושב שצריך להיות על ארבעה ועל שלשה לא אשיבנו.  
 כפי הנראה כבר בתלמוד התקשו בשאלה זו. ועל כן מפרשים את הפסוק: על  
 שלשה אמחל להם אבל על ארבעה לא אמחל להם. עיין יומא פ"ו, ע"ב ועיין  
 רד"ק. וזאת היא גם דעת סעדיה גאון (אמונות ודעות, הוצאת סלוצקי, ע' 90).

### שאלה צ

(ע' נ', שו' 15)

מדוע חזר הנביא פעמים על המשפט: ואביון בעבור נעלים (עמוס ב', ו';  
 ח', ו')?

מענין שנים לפי הבקורת המדעית המלים: לקנות בכסף דלים ואביון בעבור  
 נעלים בעמוס ח', ו' שלא במקומן הן. עיין תנ"ך, הוצאת קיטל-קאהלה.

### שאלה צא

(ע' נ', שו' 16)

מדוע כתוב כאן נְעָלִים בַּסֶּפֶר זוגי ולא נְעָלִים במספר רבים?

עיין בספר העשר: נעלים זוג נעלים; מכלל יופי: נעלים קבוץ נעל בלשון  
 שנים.

### שאלה צב

(ע' נ', שו' 17)

איך אפשר לבאר את הפסוקים בעמוס ד', ב'-ג': וְנָשָׂא אֶתְכֶם בַּצֵּמָה וְהִשְׁלַכְתִּינָהּ  
 הֶרְמוֹנָה?

## שאלה פו

(ע' נ', שו' 11)

מה פירוש הפסוק: באסרם לשתי עונותם (הושע י', י')?

הרבה פירושים על הפסוק הזה. נשכטר – עיין בספר השרשים לריב"ג, ע' 378, שורה 7]: ויתקבצו אליהם כל הגוים בעת קשרם לשתי חורשותם פרשתי באסרם קשרם מפני שהוא אצלי כמו ואסרתם את הפרות בעגלתי ופרשתי לשתי עונותם לשתי חורשותם מפני שהמענה בא תחת החרישה. ׀ רוד אלפאסי מבאר „בעונותם“ מלשון מענה – מחרשה (כתאב גאמע אלאלפאט או אנרון לרוד אלפאסי, ח"ב, 410). ע"ג אבן עזרא, רד"ק וספר העשר למקום. רש"י הולך אחרי התרגום המבכר את הכתיב עינתם ומבאר „שתי עינתם“ כאלו היה כתוב שתי עיניהם ושכאלו ההא התחלפה בתיו. המפרשים הקראים ביארו את המלה מלשון עון – חטא. עיין J. Mann, Early Karaite Bible Commentaries, J.Q.R. (N. S.), XII, 484, 490, n. 58.

## שאלה פז

(ע' נ', שו' 11)

מה משמעותו של הפסוק ואנכי תרגלתי לאפרים קחם על זרועותי (הושע י"א, ג')?

תרגום: ואנא במלאך שליח מן קרמי דברית באורח תקנא לישראל ונטלתינן כדעל דרעין. עיין פסיקתא רבתי פרשה ג' (הוצאת פרידמאן, י"ב): הוא הנביא אומר ואנכי תרגלתי לאפרים קחם על זרועותי תרתי רגלתי ברוח הקדש לדרך אפרים וכו'. עיין בראשית רבא פרשה צו (טעאדאריאלבך, 1244, מנחת יהודה, שם). עיין בספר הרקמה לאבן ג'נאח (הוצאת וילנסקי, פ"ג): וכבר באה התו נוספת תמורת ההא בואנכי תרגלתי לאפרים משפטו הרגלתי. רד"ק מביא פירוש זה בשם המדקדקים. עיין רש"י וראב"ע. ע"ג במחברת מנחם (הוצאת פיליפובסקי, ע' 43, ע"א) ובתשובות דונש בן לברט (ע' 96) ובהכרעות רבנו חם על תרגלתי. על פי מנחם תרגלתי הוא מגורת רגל והתיו היא תיו השמוש. עפ"י דונש תרגלתי הוא מן הפעלים הרבעיים. ע"ג בספר הגלוי לריק"ס, ע' 56: תרגלתי כבר אמרתי כי התיו במקום ההא. עפ"י יפת בן עלי תרגלתי מובנו רגלתי עבורך ארץ זבת חלב ודבש וכן היא דעת בעל ספר העשר.

## שאלה פח

(ע' נ', שו' 13)

מדוע כתוב בהושע י"ב, ה' שהמלאך אשר יעקב נאבק עמו בכה, הלא כתוב רק שהוא אמר אליו שלחני (בראשית ל"ב, כ"ז)?

## שאלה פג

(ע' מ"ט, שו' 5)

איך אפשר להבין את דברי הנביא הושע (ה', א'): שמעו זאת הכהנים והקשיבו בית ישראל ובית המלך האזינו כי לכם המשפט כי פח הייתם למצפה ורשת פרושה על תבור?

התרגום מבאר את הפסוק בדרך דרש. עיין בראשית רבא פרשה פ' (הוצאת טעאדאר-אלבק, 950). ע"ג ירושלמי סנהדרין פרק ב', הלכה ו'. יפת בן עלי מבאר את הפסוק הזה עפ"י הפשט. מצפה ותבור הם שני הרים בארץ ישראל. וככה מפרש גם בעל מכלל יופי.

## שאלה פד

(ע' נ', שו' 7)

מה הוא מובנם של דברי הנביא הושע (ו', ב'): יחינו מיומים ביום השלישי יקימו ונחיה?

התרגום מסב את הפסוק הזה על תחית המתים. עיין סנהדרין צ"ז, ע"א: אמר רב קטינא שית אלפי שני הוו עלמא וחד חרוב... אביי אמר תרי חרוב שנאמר יחינו מיומים ביום השלישי יקימו ונחיה לפניו. בבראשית רבא פרשה נ"ו (טעאדאר-אלבק, 595): נמצאות דרשות שונות על הפסוק הזה. יפת בן עלי מפרש את הפסוק על פי הפשט. ה' מבריא אותנו אחרי שני ימים כאשר אנחנו חולים ומקים אותנו ביום השלישי של המחלה.

## שאלה פה

(ע' נ', שו' 9)

מהו משמעם של דברי הנביא הושע: על כן חצבתי בנביאים הרגתים באמרי פי... כי חסד חפצתי ולא זבח ודעת אלהים מעולות (הושע ו', ה'-ו')? איך יכול אלהים החפץ חסד ומואס בקרבנות להרוג נביאים?

עפ"י התרגום ה' הרג את העם על אשר לא שמע בקול הנביאים וכן פירש רש"י. עיין רד"ק. עיין בספר העשר: חצבתי לכם על ידי הנביאים באובר ובגלות והרגתי למקצתם על ידי אליהו ומקצתם על ידי אלישע. עיין בספר השרשים לריב"ג, ע' 165-166. ע"ג כתאב גאמע אלאלפאט או אלאגרון לרוד אלפאסי, הוצאת סקו, ח"א, 577.



התלמוד והמדרש מתרצים את הקושי בשני פנים: א. העם בחטאו מת. עיין מדרש שמואל, פרשה ל"א: כל אותן האוכלוסין שנפלו לא נפלו אלא על ידי שלא תבעו בבנין בית המקדש. ב. "רב" אין הכוונה מספרדב, כי אם אדם חשוב. עיין ברכות ס"ב, ע"ב: ויאמר למלאך המשחית בעם רב אמר רבי אלעזר אמר ליה הקב"ה למלאך טול לי רב שבהם... באותה שעה מת אבישי בן צרויה ששקול כרובה של סנהדרין. ע"ג פסיקתא רבתי פרשה י"א (הוצאת פרידמאן, מ"ב וכו').

## שאלה פא

(ע' מ"ט, שו' 50)

מדוע נפלו מִיִּשְׂרָאֵל שלשים אלף איש (שמואל א' ד', י') עקב חטאת בני עלי (שם ב', י"ב), אם בני עלי חטאו ישראל מה חטאו?

עיין שבת נ"ה, ע"ב; ירושלמי כתובות פרק י"ג, הלכה ה'. דעת בעלי התלמוד היא שבני עלי לא חטאו ואם כן אלה שנפלו במלחמה בחטאותיהם הם מתו. ע"ג מנחת שי שם, פסוק כ"ב. ע"ג א. גיגר, אורשריפט, 272.

## שאלה פב

(ע' מ"ט, שו' 1)

מהו מובן הפסוק: ואכרה לי בחמשה עשר כסף וחמר שעורים ולתך שעורים (הושע ג', ב')? איזו מדה היא לתך? מהו היחס בין הכסף ובין השעורים?

כפי הנראה כבר הקדמונים הרגישו בקושי של הפסוק הזה ולפיכך בכרו את הדרש על הפשט. עיין תרגום. ע"ג חולין צ"ב, ע"א: בחמשה עשר כסף זהו ט"ו בניסן שבו נגאלו ישראל ממצרים וחומר שעורים ולתך שעורים אלו ארבעים וחמשה צדיקים שהעולם מתקיים עליהם. ע"ג פסיקתא דרב כהנא, הוצאת בוכר, נ"א, ע"ב. גם סעדיה גאון מצא רמזים בחומר ולתך שהם ט"ו כנגד משה ואהרן ומרים וי"ב שבטים שיצאו ממצרים (מובא ברד"ק). את הדרש הזה קבל גם המפרש הקראי יפת בן עלי בפירושו להושע, הוצאת פ. בירנבוים. ע"ג ספר העשר ורש"י וראב"ע.

המדקדקים הקדמונים השתדלו לציין את מדת הלחך והחומר. עיין בספר השרשים לריב"ג (ע' 160): חמר... מדה מכילה משקל שנים ושבעים אלף זוז הוא הנדול שבמדות בני ישראל. שם ע' 250: לתך הוא חצי החומר. בעל ספר העשר כותב: לתך... ה' איפות; חומר י' איפות.

## שאלה עז

(ע' מ"ט, שו' 39)

מדוע אמר ה' להושע שיפקוד את דמי יזרעאל על בית יהוא (הושע א', ד'), הלא יהוא השמיד את בית אחאב במצות ה', וה' אמר ליהוא שהטיב לעשות בהכריתו את בית אחאב (מלכים ב' י', ל')?

תרגום להושע א', ד': ואמר ה'... ואסער דם פלחי טעותא ראשד יהוא ביזרעאל דקטלינן על דפלחו לבעלא תבו אינון למטעי בתר עגליא רבבית אל בכנ אחשביניה דם זכאי על בית יהוא. עיין רש"י שם.

## שאלה עח

(ע' מ"ט, שו' 41)

מדוע כעס ה' על בעשא מלך ישראל על אשר הכה את בית ירבעם (מלכים א' ט"ז, ז'), הלא ה' אמר לאחיה הנביא שהוא יקים מלך על ישראל אשר יכרית את בית ירבעם (מלכים א' י"ד, י"ד; ט"ז, כ"ט)?

עיין רש"י הנו' בשאלה הקודמת.

## שאלה עט

(ע' מ"ט, שו' 44)

סתירה בין שמואל ב' ז', ג' ובין שמואל ב' ז', ה'—י"ז. בשמואל ב' ז', ג' כתוב שנתן הנביא אמר לדוד המלך שסיפר לו שהוא רוצה לבנות בית המקדש: כל אשר בלבבך לך עשה כי ה' עמך, ואילו בפרק ז', ה'—י"ז כתוב שה' אמר לנתן הנביא לאמור לדוד, שהוא לא יבנה את הבית כי אם בנו אשר ימלוך תחתיו.

עיין ראב"ע, בפירושו הקצר לשמות ד', כ' (הוצאת פליישר, ע' 30): אין הנביא יודע הנסתרות הנה דוד היה עם לבבו לבנות בית להשם... גם אמר לו נתן הנביא עשה וה' עמך ואחר כך הוגר לנביא בדרך נבואה שלא יבנה דוד הבית.

## שאלה פ

(ע' מ"ט, שו' 47)

מדוע ענש ה' את ישראל במגפה כאשר השטן הסית את דוד למנות את ישראל? אם דוד חטא ישראל מה חטאו (שמואל ב' כ"ד, א'—ב'; ע"ג דברי הימים א' כ"א, א'—י')?

## שאלה עד

(ע' מ"ח, שו' 31)

מדוע זעק יחזקאל צעקא גרולה ואמר: ארני ה' כלה אתה עושה את שארית ישראל כאשר פלטיה בן בניה מת, הלא פלטיה היה מן האנשים החושבים און הדיועצים רע (יחזקאל י"א, א'-ב', י"ג)?

עיינ קדושין ע"ב, ע"ב: רב ושמואל חד אמר לטובה וחד אמר לרעה. עיין רש"י שם, שהיה רע בעיניו (של יחזקאל) שמת (פלטיה) מיתה יפה.

## שאלה עה

(ע' מ"ח, שו' 35)

מדוע המית ה' את אשתו של יחזקאל שהיתה נקיה מכל עון? הלא אי אפשר, שה' המית אותה אך ורק בכרי לשמש אות לנבואת יחזקאל (יחזקאל כ"ד, ט"ז, י"ח, כ"ד).

המפרש הקראי יפת בן עלי נגע בשאלה זו. עיין בספר העשר: א"א (אמר אומר ז"א יפת) למה המית לאשת יחזקאל בעבוד המופת נ"א (נוסח אחר) כי שלמו ימי שנותיה או בלי עתה להשלים המופת וישלם לה ה' בעולם הבא כנגד הכאב. יתכן שיפת לקח את באורו מן הספרות המדרשית. עיין בפירושו של יפת להושע, הוצאת פ. בירנבוים, ע' XII וכו'.

## שאלה עו

(ע' מ"ח, שו' 37)

מדוע צוה ה' פעמים להושע שיקח לו אשה זונה (הושע א', ג'; ג', א'?)

עיין פסחים פ"ז, ע"א: תחלת דבר ה' בהושע א"ל הקב"ה להושע חטאו ישראל היה לו לומר בניך הם... לא די שלא אמר כך אלא אמר לפניו רבונו של עולם כל העולם שלך הוא העבירים באומה אחרת אמר הקב"ה מה אעשה לזקן זה אומר לו קח לך אשה זונה ותלד לך בני זנונים ואח"כ אומר לו שלחה ■ הוא משלח אותה מעל פניו אף אני אשלח את ישראל. השאלה הזאת נשאלה ג"כ על ידי מינים מוסלימיים (חינדיקים) ואנחנו מוצאים אותה בספרו של הסופר הפרסי עלי אל-טאבארי (מאה ט'). עיין במאמרי ברבעון האנגלי, כרך ל"ח, ע' 428.

## שאלה עא

(ע' מ"ח, שו' 24)

ביחזקאל ר', ט' כתוב: קח לך חטים ושעורים ופול ועדשים ודוחן וכסמים ועשית אותם לך ללחם ובפסוק י"ב כתוב: וענת שעורים תאכלנה.

עיין עירובין פ"א, ע"א: מאי וענת שעורים תאכלנה... ע"ג פסיקתא רבתי, פרשת העומר, הוצאת פרידמאן, צ"ג, ע"א. ע"ג בפירוש לרבי אליעזר מבלגנצי: וענת שעורים, עיקרה שעורים ושאר מיני דגן היו מועטין בה מאד כל כך להמשיך שאר המינין.

## שאלה עב

(ע' מ"ח, שו' 26)

מרוע צוה ה' ליחזקאל שישכב על צדו השמאלי שלש מאות ותשעים יום בכדי לשאת את עון בית ישראל ורק ארבעים יום על צדו הימני בכדי לשאת את עון בית יהודה (יחזקאל ר', ה')?

[שכטר – עיין סע"ר, כ"ו (הוצאת ראטנער, נ"ח, ע"א)]: מלמד שהיו ישראל מכעיסין לפני הקב"ה משנכנסו לארץ ועד שיצאו ממנה שלש מאות וצ' שנה... מלמד שהיו בית יהודה מכעיסין לפני הקב"ה משגלו עשרת השבטים ועד שחרבה ירושלים ארבעים שנה... ע"ג בפירוש לרבי אליעזר מבלגנצי, הוצאת פונטסקי, ע' 9.

## שאלה עג

(ע' מ"ח, שו' 29)

מאיזו שנה מונה יחזקאל באמרו ויהי בשלשים שנה (יחזקאל א', א') או: ויהי בעשרים ושבע שנה (כ"ט, י"ז)?

[שכטר – עיין סע"ר, כ"ו (הוצאת ראטנער, נ"ח, ע"א)]: ויהי בשלשים שנה משנמצא הספר בבית ה'. בשנת עשרים ושבע לנבוכדנאצר ניתנה מצרים בידו. ואחריו הלכו התרגום והמפרשים. ועיין בפירוש ליחזקאל לרבי אליעזר מבלגנצי: ואעפ"י שדברי המתרגם ישרים ומכוונים לזמן שמצא חלקיהו הכהן את הספר התורה, מכל מקום אין זו שיטת הכתובים.

עיינ סנהדרין ל"ז, ע"ב: ר' יוחנן אמר גלות מכפרת על הכל שנאמר כתבו את האיש הזה עירי... ובתר הגלה כתיב ובני יכניה אסיר שאלתיאל בנו. [שכטר – ע"ג פסיקתא דרב כהנא, הוצאת באבר, קס"ג, ע"א]: כה אמר ה' כתבו את האיש הזה עירי... בימיו אינו מצליח בימי בנו מצליח, גדולה תשובה שבטלה את הגזירה...

## שאלה סט

(ע' מ"ח, שו' 22)

מהו המובן של המלה יונה במשפטים הבאים: יונת אלם (תהלים נ"ו, א'); העיר היונה (צפניה ג', א'); חרון היונה (ירמיהו כ"ה, ל"ח); חרב היונה (ירמיהו מ"ו, ט"ז; נ', ט"ז)?

המרקדקים הראשונים טפלו בשאלה זו. סעדיה גאון גזר יונה ביונת אלם מן הפעל ינה. עיין תשובות רונש על ר' סעדיה, מספר 159. זאת היתה גם דעת המרקדקים ר' יהודה חיוג' ויונה אבן ג'נאח. עיין ספרי הרקדוק אשר העתיקם הראב"ע לעברית, הוצאת ל. דוקס: אותיות הנוח, חלק שלישי, שער הפעלים שהלמד שלהם אותה נח נעלם יונה וי"א כי העיר היונה (צפניה ג', א') חרב היונה (ירמיהו מ"ו, ט"ז) מזה הענין. [שכטר – עיין ספר השרשים לר' יונה אבן ג'נאח, ע' 198]. אבל הראב"ע (שפת יתר, מספר קמ"ט) מתנגד לדעת זו וכותב: והוא (ו"א סעדיה) לא פי' בו מאומה והנכון שהיא יונה ממש.

## שאלה ע

(ע' מ"ח, שו' 23)

מדוע נקרא מלך בבל מלך ששך (ירמיהו כ"ה, כ"ו; נ"א, מ"א) ומדוע נקראו כשדים לב קמי" (ירמיהו נ"א, א')?

[שכטר – חלוף האותיות הוא אחת משלשים ושתים מדות שהאגדה נדרשת בהן.] עיין במדרש הגדול לבראשית ע' 37: כשאתה מחליף ששך באת בש יבוא בבל. ע"ג משנת רבי אליעזר, הוצאת ענעלאו, ע' 38: אם לרמות האותיות הרי כבר נאמר הנני מעיר על בבל ועל יושבי לב קמי בגמטריה את מחליף לב קמי באת בש ימצא כשדים. ע"ג רש"י סוכה כ"ה, ע"א. סעדיה גאון הרחיק ללכת בהשתמשו בכלל של חלוף אותיות בבאור המקרא. סעדיה גאון ראה בשם בן טבאל (ישעיהו ז', ו') את הגמטריה של בן רמליה על יד אל בס (עיין תשובות רונש על סעדיה, מספר 33).

## שאלה סה

(ע' מ"ו, שו' 26)

מהו הטעם של אסור שעטנו וכלאים (ויקרא י"ט, י"ט; דברים כ"ב, ט', י"א)?

שעטנו וכלאים הם מאותם הדברים אשר השטן משיב עליהם ז"א המינים מונים בהם את ישראל. עיין יומא ס"ז, ע"ב. ע"ג פסיקתא דרב כהנא, פרשת פרה (הוצאת באבר, ל"ט), ילקוט שמעוני ח"א, תקע"ז. עיין לעיל, הערה 169.

## שאלה סו

(ע' מ"ו, שו' 26)

מהו מובן הפסוק: איש ונערו ילינו בתוך ירושלים (נחמיה ד', ט"ז)?

כוונת השאלה היא בלתי ברורה. עיין לעיל, הערה 169.

## שאלה סז

(ע' מ"ז, שו' 15)

בירמיהו כ"ב, י'–י"א כתוב „בכו בכו להולך” והוא „שלום בן יאשיהו מלך יהודה המלך תחת יאשיהו אביו”. ואילו במלכים ב' כ"ג, ל' כתוב „יהואחז מלך תחת יאשיהו אביו”. ולהרבות המבוכה אין אנו מוצאים שמו של יהואחז בין בני יאשיהו (דברי הימים א' ג', ט"ו), ובמקומו יש יהוחנן.

[כהנא – עיין תורות י"א, ע"ב]: וא"ר יוחנן הוא שלום הוא צדקיהו הוא יוחנן הוא יהואחז. [שכטר – ע"ג אבן עזרא לדניאל א']: ועתה התבונן כי יהואחז הוא שלום ויוחנן לא מלך. [כהנא – ע"ג אבן עזרא (הוצאת פליישר) לשמות ב', י']. ע"ג שפה ברורה לראב"ע, הוצאת נבריאל ליפמאן, ח' ע"א.

## שאלה סח

(ע' מ"ח, שו' 17)

סתירה בין ירמיהו כ"ב, ל' ובין ירמיהו ל"ג, כ"ב. בכ"ב, ל' הנביא מנבא: כי לא יצלח מזרעו איש יושב על כסא דוד ומושל עוד ביהודה, ואילו בל"ג, כ"ב כתוב: אשר לא יספר צבא השמים ולא ימר חול הים כן ארבה את זרע דוד עברי ואת הלויים משרתי אותי.



## שאלה סא

(ע' מ"ו, שו' 24)

איך אפשר לבאר את הפסוק בשמות ט"ו, י"ד: וחיל אחז יושבי פלשת?

במקור כתוב: חבלים יאחזמו יושבי פלשת. כוונת השאלה היא בלתי ברורה.  
ע"ן לעיל, הערה 169.

## שאלה סב

(ע' מ"ו, שו' 25)

איך אפשר לבאר את הפסוק בשופטים כ', ט': עליה בגורל?

הפסוק הזה הוא קשה וכפי הנראה חסרה כאן מלה. עפ"י תרגום השבעים יש  
כאן לקרוא: נעלה עליה בגורל. ע"ן גם בתרגום המתרגם: נתמני עלה בערבא.  
ע"ג בספר העשר: ר"ל נעלה עליה בגורל. ע"ג ברד"ק למקום. ע"ן לעיל, הערה 169.

## שאלה סג

(ע' מ"ו, שו' 25)

איך אפשר לבאר את הפסוק במלכים ב' ג', כ"ח: עד השאיר אבניה בקיר  
חרשת?

הפסוק הזה הוא קשה והקדמונים לא בארו אותו כפשוטו. תרגום: עד רלא  
אשתארת אבנא בקרתא דלא פגרותא ז"א עד אשר לא נשארה אבן בעיר שלא  
נהרסה. ע"י מפרשים. ע"ג בספר העשר: עד השאיר אבניה ר"ל עד שלא השאיר  
אבן בחומה. ע"ן לעיל, הערה 169.

## שאלה סד

(ע' מ"ו, שו' 25)

מרוע כתוב „נסה" במקום „נשא" בפסוק: נסה עלינו (תהלים ד', ז')?

ע"ן מסורה: בחד כתיב סה וחד כתיב שא, ז"א נשא עלינו אנחנו מוצאים  
פעמים במקרא, פעם כתוב נסה עלינו ופעם כתוב נשא עלינו (תהלים ס', ז'; י', י"ב).  
ע"ן בראב"ע שמביא עוד דוגמא והיא: הנסה דבר אליך חלאה (איוב ד', כ').  
ע"ג מכלל יופי: שרשו נשא ובא בחלוף ש"ן בסמך ואלף בהא. ע"ן לעיל,  
הערה 169.

בנוגע למובנם של שמות התבואה הנזכרים בפסוקים אלה עיין ירושלמי חלה פרק א', הלכה א'. ע"ג ילקוט שמעוני, ח"ב, רמז תל"ו. יתכן ג"כ שבעל האוסף התכוון לדרש של התרגום על הפסוקים האלה. ע"ג בספר העשר הכותב שיפת בן עלי דרש את הפסוקים האלה שהם מוסבים על ישראל. גם הרד"ק מבאר הפסוקים בדרך משל.

## שאלה נח

(ע' מ"ו, שו' 15)

אם ה' הוא אל רחום וחנן ונושא כל עון (שמות ל"ד, ו', ז') מדוע הוא מזוהר את העם שהוא יכה אותם שבע על חטאתם (ויקרא כ"ו, י"ח)? ומדוע אומר ישעיהו שה' הכה את יהודה כפלים בכל חטאותיה (ישעיהו מ', ב')?

עיין בתרגום יונתן לויקרא כ"ו, י"ח: שבע מאחאתא על שבע עבירון. וכן בספרא לויקרא בחוקותי פרק ה' (הוצאת ווייס, ק"א, ע"ב): עיין תרגום לישעיהו מ', ב': כאלו לקה על חר תרין. עיין הוספת רש"י לישעיהו מ', ב': ולפי פשוטו יתכן לפרש כי לקתה פורענות כפלים וא"ת האיך מרתו של הקב"ה לשלם לאדם כפלים בחטאו (בהוצאת רש"י לישעיהו למהרשאן).

## שאלה נט

(ע' מ"ו, שו' 17)

איך אפשר ליישב את הסתירה שבין ישעיהו הנביא ובין זכריהו הנביא? ישעיהו אמר: והיה מדי חדש בחדשו ומדי שבת בשבתו יבוא כל בשר להשתחוות לפני ה' (ס"ו, כ"ג) וזכריהו אמר: ועלו מדי שנה בשנה (י"ד, ט"ז).

עיין משנה עריות ב', י'. חכמי התנאים בארו מדי חדש בחדשו במובן של מדי שנה בשנה וגם את המלים מדי שבת בשבתו הוציאו מידי פשוטן.

## שאלה ס

(ע' מ"ו, שו' 24)

איך אפשר לבאר את הפסוק בשמואל א' ל"א, ג': וימצאהו המורים אנשים בקשת?

בדברי הימים א' י', ג' כתוב: וימצאהו המורים בקשת. המלה אנשים חסרה שם (שכטר). התרגום מבאר כאילו היה כתוב: וימצאהו אנשים המורים בקשת. הרד"ק ומפרשים אחרים הולכים אחרי התרגום. ע"ג בספר העשר: שהנכון וימצאהו אנשים המורים בקשת. עיין לעיל, הערה 169.

כבר הקדמונים התקשו בבאור המלה „דביונים“ אשר הכתיב שלו הוא חרינים, חרי יונים וגם הריונים. הבאור המקובל הוא צואת היונים והוא מבוסס על כל התרגומים הקדומים. אחרים מן המפרשים ראו בדביונים צורה ארמית וחשבו שהדלת של דביונים היא במקום שין ובארו דביונים כמו שביונים ז"א הגרעינים שנמצאו בתוך זפק היונים. עיין אגרון לדור אלפאסי, הוצאת סקו, ח"א, 378. זאת היא גם דעת רבי יוסף קמחי, עיין ברד"ק למקום וגם בספר השרשים תחת דב (כהנא). עיין גם בספר העשר למקום. מבארי המקרא המודרניים רואים בראש חמור ובדביונים שמות של צמחים. עיין במלון של גזינוס-בוהל על התנ"ך, הוצאה י"ז, ע' 256.

## שאלה נה

(ע' מ"ה, שו' 7)

באיזו שנה אמר ישעיהו: ובעוד ששים וחמש שנים יחת אפרים מעם (ישעיהו ז', ח')?

[שכטר – עיין סע"ר פרק כ"ח (הוצאת ראטנער, ס"ו, ע"א)]: וכן הוא אומר בעוד ס"ה שנה יחת אפרים מעם ואותה שנה שנת ד' לאחז היתה אפשר לומר כן? אלא שהיתה גזירה גזורה מימי עמוס שנתים לפני הרעש. עיין רש"י שם (הוצאת מדרשאן). [כהנא – אבן עזרא לשמות י"ב, מ'] ותחלת החשבון הנה מיום הרעש ובספר מלכים וברברי הימים כאלה רבות.

## שאלה נו

(ע' מ"ה, שו' 11)

מהו מובן המלה קו בפסוקים: צו לצו קו לקו (ישעיהו כ"ח, י', י"ג)? ואם מובן אחר לה כאן ובפסוקים: ושמתי משפט לקו (שם כ"ח, י"ז), ויקו למשפט (שם ה', ז')?

רבו הפירושים על המלה קו. עיין אבן בלעם: צו וקו הם שמות חסרי האות השלישית מובנים בלתי בהיר (השקפה צרפתית, כרך כ"ב, 55); ספר השרשים לאבן ג'נאח, ע' 443: הקוף והואו וההא... וענינו תו אלא שקו המרה הוא החוט שמכווננין בו הבנין ומתוין אותו בו. ע"ג ספר הגלוי לר' יוסף קמחי, ע' 15; רד"ק וגם מכלל יופי למקום.

## שאלה נו

(ע' מ"ה, שו' 13)

מהו מובן הפסוקים בישעיהו כ"ח, כ"ד-כ"ז? ואיזה קשר יש להם עם הפסוק האחרון, הפליא עצה הגריל תושיה'?

## שאלה נא

(ע' מ"ה, שו' 24)

מרוע כתוב אצל עבר עברי, כי משנה שר שר עברך (דברים ט"ו, י"ח)?

חז"ל פרשו פסוק זה: שר אינו עובר אלא ביום, עבר עברי עובר בין ביום ובין בלילה (קדושין ט"ו, ע"א). הרשב"ע מראה על ישעיהו ט"ז, י"ד: ששני שר הם שלש שנים ומבאר עבר עברי עובר שש שנים משנה שני שר. פירושו נחקבל מאת המפרשים האחרונים.

## שאלה נב

(ע' מ"ה, שו' 1)

איך אפשר ליישב את הסתירה הבאה? עפ"י שמואל ב' י"ח, י"ח לא היה לאבשלום בן במתו ועפ"י שמואל ב' י"ד, כ"ז היו לאבשלום שלשה בנים.

עיינ סוטה י"א, ע"א: ולא הוה ליה בנים והכתיב ויולדו לאבשלום שלשה בנים ובת אחת אמר רב יצחק בר אבדימי שלא היה לו בן הגון למלכות. ע"ג ילקוט שמעוני, ח"ב, רמז קנ"א.

## שאלה נג

(ע' מ"ה, שו' 3)

מרוע אכל אליהו הנביא מן הבשר אשר הביאו לו העורבים הלא התורה אסרה לאכול נבלה וטרפה (שמות כ"ב, ל'; דברים י"ד, כ"א; מלכים א' י"ז, ד')?

[כהנא – עיינ חולין ה', ע"א: מהיכן מייתי ליה מבי טבחא דאחאב... מאי עורבים אמר רבינא עורבים ממש אמר ליה רב אחא בר מנימי לרבינא ודלמא תרי גברא דהוו שמייהו עורבים... ודלמא ע"ש מקומם.] תנחומא מסעי, ו': ד"א משולחנו של יהושפט ע"ג בראשית רבא ל"ז, ה' (טעאדאריאלבק, ע' 309). סעדיה גאון באר "עורבים" יהודים מערב. עיינ Saadia Anniversary Volume of the American Academy for Research (1943, 126). ע"ג בספר היובל לכבודו של ג. קאהוט, ע' 296.

## שאלה נד

(ע' מ"ה, שו' 5)

מה פירוש הפסוק "ער היות ראש חמור בשמנים כסף ורבע הקב רביונים (כתיב: חרינים) חמשה כסף" (מלכים ב' ו', כ"ה)?

התנאים חלקו בבאור המלים האלה. עיין ספרי דברים, נ"ו: אחרי דרך מבוא השמש מקום שהחמה זורחת... רבי אליעזר אומר... מקום שהחמה שוקעת. ע"ג סוטה ל"ג, ע"ב. עיין מבוא, הערה 26.

## שאלה מח

(ע' מ"ה, שו' 19)

מרוע לא נזכר אסור אכילת חלב בפרשה י"ב של דברים, בפרשה שבה מדובר על שחיטת ואכילת צאן ושורים?

במאה התשיעית טען המין משוי העכברי שהכתוב לא אסר מן החלבים רק חלבי קרשים ולא חלבי חולין. עיין אדרת אליהו לאלהיו בשייצי, ענין שחיטה, תחילת פרק י"ח. ע"ג אשכל הכפר, קס"ח (ס"ג, ע"ד למטה), רל"ו, ח' (צ', ע"ב) וגם כתר תורה לויקרא ח'. ע"ג באבן עזרא לויקרא ז', כ': והראיה הגמורה שאמר בספר אלה הדברים בבשר תאווה שהוא חול שיאכלנו כולו ולא הוציא רק את דמו לברו בשלשה מקומות ואין זכר לחלב כלל.

## שאלה מט

(ע' מ"ה, שו' 19)

מרוע אינם נזכרים ראש השנה ויום הכפורים בספר דברים?

[שכטר – עיין בראב"ע לדברים ט"ז, ח': „ולא הזכיר יום תרועה ויום העשר כי אין הצבור מתחבר במקדש“. ע"ג בפירוש הקראי „מבחר לישירים“ לאהרן בן יוסף הרופא] (מאה י"ג) הכותב: לא זכר יום תרועה וכפור כי אין בה חגיגה.

## שאלה נ

(ע' מ"ה, שו' 21)

ה' אמר על שש ערי המקלט בארץ „והיה אלה לכם לחקת משפט לדורותיכם בכל מושבותיכם“ (במדבר ל"ה, כ"ט). איך אפשר ששש ערים אלו יספיקו לכל מושבות בני ישראל לדורות, בזמן שהם פזורים בכל קצות הארץ?

[שכטר – עיין רש"י ורמב"ן ומראה המקום שם.]

השקפת חז"ל היתה ש„לדורותיכם“ מוסב לא על ערי המקלט כ"א על בתי דינים ועל המשפט בכלל. עיין ספרי במדבר פיסקא קס"א. בנוגע לדורותיכם ולחקת עולם עיין באבן עזרא לויקרא ז', כ'.

## שאלה מד

(ע' מ"ד, שו' 11)

ה' הזהיר את בלעם, ואך את הדבר אשר אדבר אליך אותו תעשה" (במדבר כ"ב, ב'), וגם המלאך מזהירו. ואפס את הדבר אשר אדבר אליך אותו תדבר" (שם, ל"ה). מכאן שלו היה בלעם מקלל את ישראל במצות בלק (פקודו) היה מכריח את ה' להשמיר את ישראל נגד רצונו, היתכן?

החכמים בארו את כל ענין בלעם לא שהוא יכול היה לעשות איזה דבר נגד רצונו של ה' כ"א שרצה להשפיע על ה' שיקלל את ישראל. עיין תרגום ירושלמי על במדבר כ"ב, מ"א-כ"ג, א'. ע"ג ל. גינצבורג, אנדות היהודים, ח"ו, ע' 132.

## שאלה מה

(ע' מ"ה, שו' 14)

בן כמה שנים צריך להיות נער בכרי שנדרו יהיה נדר ואביו לא יוכל להפיר אותו? מדוע לא נתנה לנו התורה פרטים על התרת נדר של נער (במדבר ל', ד')?

עיין תרגום יונתן על איש כי ידור (במדבר ל', ג') גבר בר תליסר שנין; ספרי במדבר מטות, קנ"ג; משנה נדה ה', ו': בן י"ג שנה ויום אחד נדריו קיימין.

## שאלה מו

(ע' מ"ה, שו' 16)

מה היה הטעם לסדר השבטים בשעת הברכות והקללות על הרי גרזים ועיבל (דברים כ"ז, י"ב-י"ג)?

עיין גנוי שכטר, ח"א, ק"ס: ולמה אילו ששה שבטים עמדו לברך את ישראל... ולמה אילו על הקללה. גם חכמי הקראים טפלו בשאלה זו ונתנו טעמים שונים לדרבן. בעל כתר תורה מוסר בשם סהל בן מצליח את הטעם הבא: שנתנו אלה השבטים על הקללה בעבור שהגלו תחילה. הוא בעצמו מביא בלי הזכרת שם את טעמו של הראב"ע והוא: על הגרזים בני הגברות ובהר עיבל בני השפחות. על ראובן בין המקללים עיין בראשית רבא פרשה צ"ז, הוצאת טעאדאריאלבך, 206 1.

## שאלה מז

(ע' מ"ה, שו' 16)

מהו המובן של המלים דרך מבוא השמש (דברים י"א, ל'), אם זהו מזרח או מערב?



## שאלה מא

(ע' מ"ד, שו' 5)

מדוע אין התורה מזכירה שיתרו חותן משה שב אל בני ישראל אל המדבר אחרי זה שמשח שלח אותו בפעם הראשונה (שמות י"ח, כ"ז). בספר במדבר (י', כ"ט) אנחנו קוראים על פרישתו השניה של יתרו ממשה מבלי לשמוע על שובו של יתרו אל המדבר אחרי פרישתו הראשונה.

[שכטר – עיין מפרשים קדמונים ואחרונים לשני הפסוקים הנ"ל].  
כפי הנראה היתה השקפה קדומה שיתרו שב אל מדין רק פעם אחת ושאלו מוקדם ומאוחר בתורה בענין יתרו. בתלמוד יש מחלוקת אם יתרו קודם מתן תורה היה או לאחר מתן תורה. עיין עבודה זרה כ"ד, ע"א וע"ב.

## שאלה מב

(ע' מ"ד, שו' 7)

מאין נדע את הדינים הפרטים של מצות ציצית (במדבר ט"ו, ל"ו וכו')?

לדעת התנאים פרטי מצות ציצית כלולים בפסוק: גדלים תעשה לך (דברים כ"ב, י"ב). עיין ספרי דברים, פסקא רל"ד. ע"ג ב, אשא משלי" (ע' מ"ו): „רבק ציצית מאין ידענו היות כמה חוטים וכמה חוליות אם עשרה אם שמנה". כונת השואל היא ברורה והיא להראות שבלי התורה שבעל פה א"א לקיים את מצוות התורה שבכתב הדורשת באור מפורט. ע"ג במלחמות השם לסלמון בן ירוחם, הכותב נגד סעדיה: „באמריך כי עדתי אל המשנה צריכה לעמוד על מצוות ציצית לולב וסוכה ולמען זה שמוה כתובה וערוכה" (הוצאת דורסון, ע' 47).

## שאלה מג

(ע' מ"ד, שו' 9)

ה' אמר לבלעם קום לך אתם (במדבר כ"ב, ב'), ומדוע איפוא נאמר אחר כך „ויחר אף אלהים כי הולך" (שם, כ"ב), וגם שלח מלאך לעמוד לשטן לו במקום צר (שם, כ"ו)?

החכמים טפלו בשאלה זו. תשובתם היתה: בדרך שאדם רוצה לילך מוליכין אותו. עיין מכות י', ע"ב; תנחומא, הוצאת באבר, במדבר, 139. מעשה בלעם בכלל, המראה שה' שינה את דעתו, נתן מקום למינים להתגדר בו. שכטר – עיין תשובות סעדיה באמונות ודעות, מאמר ג' (הוצאת סלוצקי, ע' 70): והששית וכו'.

היתה שאין הנביאים שומרים המלות רק הטעמים (אבן עזרא, שמות י"א, ה'). עיין גם שו"ת רשב"א, ח"א, י"ב: שאין הכתובים שומרים המלות רק הכוונות וכו'.

[י. זנה – אין כאן מקום לכלל אין מוקדם ומאוחר בתורה המוסב על סדר זמנים ולא על "סדר מלים". חכמי התנאים הסמיכו את המלה "העדות" בפסוק השני (ויקרא כ"ד, ג') לאהל מועד וביארו שאהל מועד עדות לכל באי עולם... עי' ספרא עם פי' התורה והמצוה למלבי"ם, סי' רי"ד.]

## שאלה לח

(ע' מ"ד, שו' 1)

מרוע מזכירה התורה פעמים: מכה אדם יומת ומכה בהמה ישלמה (ויקרא כ"ד, י"ז–י"ח, כ"א)?

בספרות התנאית טפלו בשאלה זו. עיין ספרא אמור, פרק כ' (הוצאת ווייס, ק"ה, ע"א): מכה בהמה מכה אדם מה ת"ל?

## שאלה לט

(ע' מ"ד, שו' 1)

מרוע כתוב פעם ומכה בהמה... ומכה אדם (ויקרא כ"ד, כ"א) סתם, ופעם כתוב נפש אדם... נפש בהמה (שם, י"ז–י"ח)?

[שכטר – עיין באבן עזרא לויקרא כ"ד, כ"א.]  
עיין בספרא אמור פרק כ' (הוצאת ווייס, ק"ד, ע"ב): אין לי אלא שהכה את האיש את האשה מנין ואת הקטן מנין ת"ל כי יכה נפש בין איש בין אשה בין קטן.

## שאלה מ

(ע' מ"ד, שו' 3)

למה מספרת לנו התורה ששבע שבתות שנים הן תשע וארבעים שנים (ויקרא כ"ה, ח') הלא כל אחר ואחר היוודע לספור יודע ששבע פעם שבע הן ארבעים ותשע וגם ההוספה, שבע שנים שבע פעמים היא מיותרת שם במשפט.

[שכטר – עיין ספרא בהר, פרשה ב' (הוצאת ווייס, ק"ו, ע"ב): שבע שבתות שנים, יכול יספור שבע שמימים זו אחר זו ויעשה יובל ת"ל שבע שנים שבע פעמים... ומנין יספור לשני שבוע תלמוד לומר והיו לך ימי שבע שבתות השנים, מנין יספור לשני יובל ת"ל והיו לך תשע וארבעים שנה.]

פרשה עריות נשנית פעמים: א. ויקרא י"ח המכיל רק הצווי, ההזהרה; ב. ויקרא כ' המבאר ענשן. והנה סדר העריות בא' שונה מזה שבב', בא' חותם באשת איש ואילו בב' מתחיל באשת איש. ]

## שאלה לה

(ע' מ"ג, שו' 20)

מדוע כתוב בעזרא (י', ג') שהוא צוה לאלו אשר נשאו נשים מצריות לגרש אותן ואת ילדיהן ושב בתורה, איפה כתוב בתורה, שאסור לשאת אשה מצרית?

מחלוקת התנאים היא. עיין משנה יבמות ח', ג': מצרי ואדומי אינם אסורים אלא עד שלשה דורות אחד זכרים ואחד נקבות רבי שמעון מתיר את הנקבות מיד. ע"ג ספרי דברים רנ"ג [שכטר – עי' לקוטי קדמוניות לפינסקר, ע' 23: כרתו ברית להוציא כל נשים].

## שאלה לו

(ע' מ"ד, שו' 22)

מדוע כתוב במצות, והיה שבעת ימים תחת אמו" (ויקרא כ"ב, כ"ז) שור או כשב או עז כי יולד ולא עגל או גרי ומדוע כתוב באזהרת אותו ואת בנו (ויקרא כ"ב, כ"ח) שור או שה ולא פרה או רחל?

עיין אבן עזרא לויקרא כ"ב, כ"ז: שור או כשב או עז נקראים על שם סופם. השקפת בעלי ההלכה הקדמונים היתה ששור בויקרא כ"ב, כ"ח משמעו פרה, ואותו ואת בנו נוהג בנקבות ולא בזכרים. כבר אונקלוס מתרגם שור או שה, ותורתא או שיתא, ז"א פרה או שיה, וכך מתרגם גם תרגום יונתן. עיין גם ספרא אמור, פרשה ח', י"א (הוצאת ווייס, צ"ט, ע"א); חולין ע"ח, ע"ב. ע"ג חנוך ילין, עיוני לשון עפ"י שינויי נוסחאות שבפי' רש"י, ספר רש"י (ירושלים, תש"א), ע' שכ"ב.

## שאלה לז

(ע' מ"ד, שו' 24)

מדוע כתוב פעם, באהל מועד מחוץ לפרוכת אשר על העדות (שמות כ"ז, כ"א) ופעם, מחוץ לפרוכת העדות באהל מועד" (ויקרא כ"ד, ג') וכאלה רבות?

את הקושיה הזאת אפשר ליישב על ידי הכלל אין מוקדם ומאוחר בתורה. עיין ירושלמי שקלים, פרק ו' סוף הלכה א' ומקבילות. גם עמדת מפרשי ימי הביניים

כ"א, ע"א). עיין אשכול הכופר, קס"ט (ס"ד, ע"ד): והיא מרת גזירה שוה. כענין שנאמר ערות אשה ובתה... עד סוף כל הדורות לדורותיהם ועוד אמר ואיש אשר יקח את אשה ואת אמה עד למעלה ראשית הדורות עד חוה אם כל חי.

## שאלה לב

(ע' מ"ג, שו' 13)

מדוע לא הזכירה התורה בפרשת העונשין על העריות בויקרא כ' את עונש השוכב עם בת בנו, בת בתו או אחות אביו או אחות אמו?

הקראים דרשו גזירה שוה מן המלה "זמה" הנמצאת בויקרא י"ח, י"ז ובויקרא כ', י"ד לרדוף את השוכב עם בת בנו או בת בתו לשרפה. עיין כתר תורה, שם (ויקרא נ"ו, ע"ב): ע"ג אבן עזרא שם 'ויקרא כ', י"ז): ולא הזכיר הכתוב עונש בת בנו או בת בתו כי סמך על תורה שבעל פה. שם (י"ט): אם הדבר ברצונם לא הזכיר עונש אחות האב ואחות האם... בעבור כבוד עמרם שנשא דודתו. עיין צפנת פענח, פירוש על הראב"ע, ח"ב, הוצאת דוד הערצאג, ע' 22.

## שאלה לג

(ע' מ"ג, שו' 16)

מדוע הזכירה התורה בקללות שעל הר עיבל (דברים כ"ז) מכל מיני זימה האסורים רק את השוכב עם אשת אביו, בהמה, אחותו בת אביו או בת אמו וחוננת?

[שכטר - ע"י ראב"ע ורשב"ם]

בספרות המדרשית נחננו טעמים לכל שתיים עשרה הקללות אשר ניתנו על הר עיבל. עיין במדרש הגדול לדברים המובא על ידי מיכה יוסף בן גוריון בספרו Sinai und Garizim ברלין, 1926, ע' 500.

## שאלה לד

(ע' מ"ג, שו' 18)

מדוע צוה עזרא לאלו אשר נשאו נשים נכריות שיביאו בתור קרבן על חטאותיהם איל אשם, הלא איל אשם הוא כפרה רק עבור שוכב עם שפחה חרופה (עזרא י', י"ט; ויקרא י"ט, כ"א)?

כבר חכמי התלמוד טפלו בשאלה זו. עיין כריתות י"א, ע"א: אמר רב חסדא מלמד שכולן שפחות חרופה בעלו.

[י. זנה - בין שאלה ל"ב ול"ג יש עוד שאלה אחת והיא:

## שאלה כח

(ע' מ"ב, שו' 27)

יש סתירה בין מלכים ב' כ"ה, ח' ובין ירמיהו נ"ב, י"ב. עפ"י מלכים ב' כ"ה, ח' נבחר ארדן בא לירושלים בשבעה לחודש החמישי ועפ"י ירמיהו נ"ב, י"ב הוא בא לירושלים בעשור לחדש החמישי.

כתבי יד אחרים, תרגום השבעים וגם הפשיטא קוראים במלכים ב' כ"ה, ח': בתשעה לחודש. בשאלה זו דן בעל סע"ר (פרק כ"ז, הוצאת ראטנער, ס"א, ע"א). ע"ג בספר העשר למקום: בו' בא ובעשור הרליק האש.

## שאלה כט

(ע' מ"ב, שו' 2)

מדוע אין המת מטמא באהל כלי חרס אשר צמיד פתיל עליו (במדבר י"ט, ט"ו) הלא כתוב וכל אשר באהל יטמא (שם, י"ד)?

התנאים הגבילו את „וכל אשר באהל" רק לארבעה כלים, לכלי מתכות, לכלי חרס אשר אין צמיד פתיל עליו ולאדם. [שכטר – ע"י ספרי במדבר פסקא קכ"ו] (ה"ו הורביץ, ע' 162). לרעת הקראים אשר החמירו בהלכות טמאה וטהרה התורה הוציאה כלי אשר צמיד פתיל עליו רק מידי טומאת שבעת ימים אבל טמא הוא יום אחד. עיין אשכל הכופר, רי"ג. ע"ג כתר תורה, במדבר כ"ט, ע"א.

## שאלה ל

(ע' מ"ב, שו' 3)

מדוע אין כלי חרש מקבל טומאה מגבו אלא מתוכו (ויקרא י"א, ל"ג; במדבר י"ט, ט"ו)?

עיין ספרא שמיני, פרשה ז' (הוצאת ווייס, נ"ג, ע"ב); ספרי במדבר, פסקא קכ"ו (הוצאת הורביץ, ע' 163); חולין כ"ד, ע"ב.

## שאלה לא

(ע' מ"ג, שו' 12)

מדוע לא הזכירה התורה בפרשת העריות בויקרא פרשה י"ח את האסור לגלות את ערות אם חמותו, אם חמיו, אם אביו ואם אמו?

בנוגע לאם חמותו ואם חמיו עיין סנהדרין ע"ה, ע"א: יש בכלל אשה ובתה חמותו ואם חמותו ואם חמיו; אבל אם אמו ואם אביו הן רק שניות לעריות (יבמות

## שאלה כה

(ע' מ"ב, שו' 23)

סתירה בין מלכים ב' כ"ד, י"ב, י"ד-ט"ז ובין ירמיהו נ"ב, כ"ח. על פי מלכים ב' כ"ד הגלה נבוכדנאצר מלך בבל את יהויכין ושמונה עשר אלף איש בשנת שמנה למלכו, ועל פי ירמיהו נ"ב, כ"ח נבוכדנאצר הגלה את יהויכין בשנת שבע למלכו ורק ארבעת אלפים ושש מאות איש הגלה במשך כל הגלויות משנת שבע עד שנת שלש ועשרים לנבוכדנאצר.

עיין סע"ר ריש פרק כ"ה: מה ת"ל שנת ז' ומה ת"ל שנת ח'. בתרגום השבעים חסרים הפסוקים של ירמיהו נ"ב, כ"ח-ל'. כפי הנראה דלגו המתרגמים על הפסוקים האלה מפני שנראו להם כסותרים את הכתובים במלכים ב' כ"ד. עיין שלום בארון, אוכלוסי ישראל בימי המלכים, מאמרים לזכרון ר. צבי פרץ חיות, וינא, תרצ"ג, קי"א-קי"ב. ע"ג רב צעיר, תולדות ההלכה, ח"ג, ע' 13 וכו'.

## שאלה כו

(ע' מ"ב, שו' 24)

סתירה בין ירמיהו כ"ז, א' ובין ירמיהו כ"ז, ג', י"ב. על פי ירמיהו כ"ז, א' הנבואה של פרק כ"ז התקיימה בראשית ממלכת יהויקים, ועל פי כ"ז, ג', י"ב, מוסבה הנבואה גם על צדקיהו מלך יהודה.

בתרגום השבעים חסר הפסוק הראשון של פרק כ"ז. בכ"י אחרים וגם בפשיטא ובעקילס כתוב בכ"ז, א': בשנה הרביעית לצדקיהו כמו בירמיהו כ"ח, א' (תנ"ך, הוצ' קיטליקאהלה).

## שאלה כז

(ע' מ"ב, שו' 26)

סתירה בין מלכים ב' כ"ה, כ"ז ובין ירמיהו נ"ב, ל"א. על פי מלכים ב' כ"ה, כ"ז, יהויכין יצא מבית האסורים בשלשים ושבע שנים עשר חדש בעשרים ושבעה לחדש, ועל פי ירמיהו נ"ב, ל"א יצא מבית האסורים בשלשים ושבע שנה, בשנים עשר חדש, בעשרים וחמשה לחדש.

את השאלה הזאת אנחנו מוצאים בסע"ר, פרק כ"ח (הוצאת ראטנער, ס"ג, ע"א)



## שאלה כב

(ע' מ"ב, שו' 17)

איך אפשר ליישב את הסתירה הבאה. אחז בן יותם מלך בשנת שבע עשרה לפקח בן רמליהו (מלכים ב' ט"ז, א') שמלך עשרים שנה (מלכים ב' ט"ז, כ"ז), ז"א שפקח מת בשנה הרביעית לאחז. אבל על פי מלכים ב' י"ז, א' יוצא, שפקח מת בשנת שנים עשרה לאחז מפני שכתוב שם, שהושע בן אלה אשר הרג את פקח מלך בשנת שנים עשרה לאחז.

על פי סדר עולם רבא, פרק כ"ב (הוצאת ראטנער, מ"ח, ע"ב): פקח בן רמליהו נהרג על ידי הושע בן אלה בשנת ר' לאחז אבל במשך שמונה שנים היה הושע משועבד למלך אשור. מפני זה כתוב במלכים ב' י"ז, א', שהושע מלך בשנת שנים עשרה לאחז. עיין הערה י"ג שם. עי' מפרשים. ע"ג גנוי קדם, ח"ה, ע' 145.

## שאלה כג

(ע' מ"ב, שו' 19)

איך אפשר להבין את הפסוק במלכים ב' ט"ז, ל' שהושע בן אלה מלך בשנת עשרים ליותם. הלא הושע הרג את פקח בשנת ארבע לאחז, בנו של יותם?

[שכטר – עיין סע"ר פרק כ"ב (הוצאת ראטנער, מ"ח, ע"ב)]: אפשר לומר כן אלא, שהיתה גזרה מימי יותם. ע"ג גנוי קדם, ח"ה, 145. בשאלה זו דן סעריה נאון בספר הגלוי (הרכבי, זכרון לראשונים, ח"ה, ע' 190).

## שאלה כד

(ע' מ"ב, שו' 21)

סתירה בין מלכים ב' כ"ד, ח' ובין דברי הימים ב' ל"ו, ט'. על פי מלכים ב' כ"ד, ח' היה יהויכין במלכו בן שמונה עשרה שנה ושלשה חדשים מלך בירושלים, ועל פי דברי הימים ב' ל"ו, ט' יהויכין היה במלכו בן שמונה שנים ושלשה חדשים ועשרה ימים מלך בירושלים.

עיין סע"ר פרק כ"ה (הוצאת ראטנער, נ"ז, ע"א): מה ת"ל שמונה ומה ת"ל שמונה עשרה. עיין גם גנוי קדם, ח"ה, ע' 145. בהרבה כתבי יד, בתרגום השבעים ובפשיטא כתוב בדברי הימים ב' ל"ו, ט' בן שמונה עשרה שנים יהויכין במלכו. עיין בתנ"ך, הוצאת כ. ד. גינצבורג (כתובים, לונדון, תרפ"ו).

## שאלה יט

(ע' מ"א, שו' 9)

מלכים ב' י"ד, י"ז סותר מלכים ב' ט"ז, א'. על פי מלכים ב' י"ד, י"ז מתאמצה בן יואש מלך יהודה בשנת חמש עשרה לירבעם ז"א שבנו עזריה (עוזיה) מלך בשנת חמש עשרה לירבעם ועל פי מלכים ב' ט"ז, א' מלך עזריה בן אמציה בשנת עשרים ושבע לירבעם.

כבר חז"ל הרגישו בקושי הכרונולוגי הזה. הם מניחים שעזריה מלך בימי אבותיו [שכטר - עיין סדר עולם רבא פרק י"ט (הוצאת ראטנער, 178)].

## שאלה כ

(ע' מ"א, שו' 10 והלאה)

סתירה בין מלכים ב' י"ג, א' ובין מלכים ב' י"ג, י'. על פי מלכים ב' י"ג, א', מלך יהואחז על ישראל בשנת עשרים ושלוש שנים ליואש בן אחזיהו מלך יהודה, ומלך שבע עשרה שנה, ז"א שהוא מת בשנת שלשים ותשע ליואש בן אחזיה מלך יהודה. אולם על פי מלכים ב' י"ג, י' יהואחז מת בשנת שלשים ושבע ליואש מלך יהודה כי בשנה זו מלך יהואש בן יהואחז על ישראל.

בהרבה כ"י של התרגום השבעים יש במלכים ב' י"ג, י' 'שלשים ותשע' במקום 'שלשים ושבע' של המסורה. עיין תנ"ך, הוצאת קיטל-קאהלה למקום.

## שאלה כא

(ע' מ"א, שו' 10)

איך אפשר ליישב את הסתירה הבאה. על פי מלכים ב' ט"ז, א' מלך עזריה בן אמציה בשנת עשרים ושבע לירבעם מלך ישראל אשר מלך על ישראל ארבעים ואחת שנה (מלכים ב' י"ד, כ"ג). מותו של ירבעם חל איפוא בשנת חמש עשרה לעזריה (עוזיה), ואילו במלכים ב' ט"ז, ח' כתוב, שזכריה בן ירבעם מלך בשנת שלשים ושמונה לעזריה, ז"א שירבעם מת בשנת שלשים ושמונה לעזריה.

עיין שאלה י"ט. על פי סע"ר פרק י"ט עזריה וירבעם מלכו כאחת וירבעם מת בשנת ארבעים ואחת לעזריה, אבל זכריהו בנו מלך שלש שנים בחייו על כן כתוב במלכים ב' ט"ז, ח' שזכריהו בן ירבעם מלך בשנת שלשים ושמונה לעזריה.

את השאלה הזאת אנחנו מוצאים גם ברשימות קצרות כה"י משו"ת הגאונים אשר א. ש. ווערטהיימער פרסם ב.קהלת שלמה, ע' ס"ט: מהו פירוש ובשנת חמש ליהורם? על הסתירה הזו כבר עמדו הקדמונים [שכטר – עי' סע"ר, פרק י"ז (הוצ' ראטנער ל"ו, ע"ב)]. תוספתא סוטה י"ב. ע"ג בספר העשר למקום.

## שאלה יז

(ע' מ"א, שו' 6)

איך אפשר שאחזיה בן יהורם יהיה בן ארבעים ושנים בשעת מות אביו (דברי הימים ב' כ"ב, ב') והלא אביו היה רק בן ארבעים במוחו (מלכים ב' ח', י"ז)?

במלכים ב' ח', כ"ו כתוב שאחזיה היה בן עשרים ושנים במלכו במקום בן ארבעים ושנים של דברי הימים ב' כ"ב, ב'. תרגום השבעים גורס גם בדברי הימים ב' בן עשרים ושנים במקום בן ארבעים ושנים. על הסתירה בין מלכים ב' ח', י"ז ודברי הימים ב' כ"ב, ב' כבר עמדו הקדמונים. עיין תוספתא סוטה י"ב, ג': אמר רבי יוסי וכו' אפשר לבן שיהיה גדול מאביו בשתי שנים אלא ... [שכטר – סע"ר פי"ז (הוצאת ראטנער, ל"ו, ע"א)]: הסתירה הזאת היא גם אחת מטענותיו של חיי הבלכי [כהנא – עיין אמונות ודעות לסעדיה, הוצאת סלוצקי, ע' 72]. עיין גם בציטטות מפירושו של סעדיה לשמואל ב' ב' Saadia Anniversary Volume of the American Academy for Jewish Research (1943), 105, 132. עיין שד"ל, מחקרי היהדות (ורשה, תרע"ג), ח"ב, 128 וא'.

## שאלה יח

(ע' מ"א, שו' 7)

מלכים ב' ח', כ"ח סותר מלכים ב' ט', כ"ט. במלכים ב' ח', כ"ח כתוב שאחזיה מלך יהודה מלך בשנת שנים עשרה ליורם בן אחאב ובמלכים ב' ט', כ"ט כתוב שאחזיה מלך בשנת אחת עשרה ליורם בן אחאב.

גירסת תרגום השבעים הוצאת פ. לאנארד וגם גירסת הפשיטא במלכים ב' ח', כ"ה היא "אחת עשרה" במקום "שנים עשרה" של המסורה (עי' תנ"ך הוצאת קיטל-קאהלה למקום).

## שאלה יד

(ע' מ"א, שו' 44)

איך אפשר שאבשלום בן דוד היה בן ארבעים שנה במרדו (שמואל ב' ט"ז, ז')  
אם כל ימי מלכותו של דוד ארכו רק ארבעים שנה (שמואל ב' ה', ה') ואבשלום  
נולד לדוד בימי מלכותו בחברון (שמואל ב' ג', ג')?

עפ"י גירסא אחת של תרגום השבעים ועפ"י הפשיטא יש לקרוא בשמואל ב'  
ט"ז, ז': ארבע שנים במקום ארבעים.  
על הקושי שבדבר עמדו כבר חכמי התלמוד. [כחנא – עי' סדר עולם רבא,  
הוצאת ראטנער, 62 ומקבילות]. ע"ג ספר העשר למקום: כמה מספרים יש במקרא  
ולא ידענו אותם היטב וי"א מזמן שנמשח דוד בזמן שאול וי"א מזמן ששאלו ישראל  
מלך (כמו הירושלמי והסע"ר).

## שאלה טו

(ע' מ"א, שו' 1)

עפ"י מלכים א' ט"ז, ח' מלך אלה בן בעשא על ישראל בשנת עשרים ושש  
לאסא מלך יהודה אחר שבעשא שכב עם אבותיו ויקבר (שם פסוק ו') ועפ"י דברי  
הימים ב' ט"ז, א' עלה בעשא על יהודה בשנת שלשים ושש לאסא, נמצא שעשר שנים  
אחר מותו עלה בעשא מקברו על יהודה.

על הסתירה הזאת כבר עמדו חז"ל. עיין תוספתא סוטה ריש פרק י"ב [שכטר –  
עי' סע"ד פרק ט"ז, הוצאת ראטנער, ל"ה, ע"א]. ע"ג בספר העשר למקום.

## שאלה טז

(ע' מ"א, שו' 3)

ימי המלוכה של יהורם בן אחאב בישראל ויהורם בן יהושפט ביהודה מלאים  
סתירות. ראשית כל יש סתירה בין מלכים ב' א', י"ז ובין מלכים ב' ח', ט"ז. עפ"י  
מלכים ב' א', י"ז יהורם בן אחאב מלך בשנת שנים ליהורם בן יהושפט ועפ"י  
מלכים ב' ח', ט"ז יהורם בן יהושפט מלך בשנת חמש ליהורם בן אחאב. גם  
ממלכים ב' ג', א' יוצא שיהורם בן אחאב הקדים למלוך ושהוא מלך בישראל  
בחיי יהושפט מלך יהודה. חוץ מזה הפסוק במלכים ב' ח', ט"ז קשה כשלעצמו  
מפני שממנו יוצא שיהורם בן יהושפט התחיל למלוך כאשר יהושפט עוד היה  
בחיים.

יפתח שש שנים, שופטים י"ב, ז' (6); אבצן מבית לחם שבע שנים, שופטים י"ב, ט (7); אילון הזבולוני עשר שנים, שופטים י"ב, י' (10); עברון בן הלל הפרעחוני שמונה שנים, שופטים י"ב, י"ד (8); שמשון הגבור עשרים שנה, שופטים ט"ז, ל"א (20); עלי הכהן ארבעים שנה, שמואל א' ד', י"ח (40); הארון בקרית יערים עשרים שנה, שמואל א' ז', ב' (20); דוד המלך בירושלים שלשים ושלש שנים, שמואל ב' ה', ה' (33); שלמה המלך עד בנין בית המקדש ארבע שנים, מלכים א' ו', א' (4). עפ"י החשבון הזה עברו 537 שנה מיציאת מצרים עד הבנין:  $40 + 50 + 8 + 40 + 18 + 22 + 23 + 3 + 40 + 7 + 40 + 80 + 18 + 40 = 537$ .

הקרמונים כבר טפלו בקושי הכרונולוגי הזה. בעל סדר עולם רבא מונה שלש מאות שנה מן הכבוש עד אגרת יפתח על פי החשבון הבא:

יהושע, מן הכבוש עד מותו, עשרים ושמונה שנים (28); עתניאל בן קנז ארבעים שנה (40); אהוד בן גרא (שופטים ג', ל') שמונים שנה (80); דבורה וברק ארבעים שנה (40); מדין שבע שנים (7); גרעון ארבעים שנה (40); תולע' בן פואה עשרים ושלש שנים (23); יאיר הגלעדי עשרים ושנים שנה (22); פלשתים ובני עמון שמונה עשרה שנים (18); אגרת יפתח בשנה השנית לשלטונו (2) ביחד=300.

בעל סע"ר מונה רק עשרים ושמונה שנים ליהושע מפני שאינו חושב שנער פחות מבן עשרים משמע. הוא גם כן מבליע את שנות השעבוד של כושן רשעתים בשנותיו של עתניאל בן קנז ושל עגלון מלך מואב בשנותיו של אהוד בן גרא. בעל סע"ר מונה ק"מ שנה מאגרתו של יפתח עד בנין בית המקדש על ידי שלמה על ידי זה שהוא מעלה את שנת מותו של שופט אחר ואת השנה הראשונה של השופט השני לשנה אחת. החשבון של בעל סע"ר הוא על כן:

ארבעים שנה במדבר (40) + שלש מאות שנה מן הכבוש עד אגרת יפתח (300) + מאה וארבעים שנה מן אגרת יפתח עד בנין בית המקדש (140) ביחד ארבע מאות ושמונים שנה.

## שאלה יג

(ע' מ"א, שו' 43)

איש בשת לא נזכר בין בני שאול (שמואל א' י"ד, מ"ט) ומיד אחרי מותו של שאול הוא כבר בן ארבעים (שמואל ב' ב', ח'-י').

[שכטר – עי' מפרשים; סע"ר, הוצאת ראטנער, פרק י"ד, והערה 18 שם.]  
הרבה כתבי יד של תרגום השבעים מוסיפים בשמואל א' י"ד, מ"ט בסוף: ואת אשבעל. עפ"י דברי הימים א' ח', ל"ג; ט', ל"ט. עיין תנ"ך הוצאת קיטל-קאהלה. עיין גם בספר העשר לאהרן בן יוסף שהוא לקוט מפרשו של יפת בן עלי על המקרא לשמואל ב' ב', ח': "א כי שאול מלך ארבעים שנה ולכן לא נזכר איש בשת בתחילת מלכותו... והקרוב כי ישוי הוא איש בשת.

## שאלה יא

(ע' מ', שו' 35)

יש סתירה בין בראשית ט"ו, י"ג: ועברום וענו אותם ארבע מאות שנה ושמות י"ב, מ': ומושב בני ישראל אשר ישבו במצרים שלשים שנה וארבע מאות שנה.

השאלה הזאת נמצאת בספרות התנאית. [שכטר – עיין מכילתא בא, פרשה י"ד]; סדר עולם רבא פרק ג' ומקבילות. ע"ג בתשובה של הקראי דניאל אלקומסי: כי אולי נגזר עליהם יתרון שלשים שנה למען כי חטאו במצרים. אשכול הכופר, קכ"ו, מ'–נ'.

## שאלה יב

(ע' מ', שו' 37)

איך אפשר למצוא חשבון ישר של ארבע מאות ושמונים שנה משליחת המרגלים (שנה ראשונה ליציאת מצרים) עד בנין בית המקדש על ידי שלמה המלך (מ"א ו', א') אם נקח בחשבון את החמשים שנה אשר יהושע שפט בארץ, את ימי כל השופטים, את אגרת יפתח אל מלך בני עמון אשר ממנה יוצא שיפתח חי שלש מאות שנה אחרי הכבוש (שופטים י"א, כ"ו) ואת ימי עלי, שמואל, שאול ודוד?

מחבר השאלות יוצא מנקודת השקפה שיהושע היה פחות מבן עשרים בשעת יציאת מצרים מפני שכתוב, שהיה נער כאשר שרת את משה (שמות ל"ג, י"א) ז"א שהיה פחות מבן עשרים. מזה יוצא, שיהושע היה לכל היותר בן ששים כאשר הכניס את בני ישראל לא"י ושפט את ישראל בארץ חמשים שנה מפני שהיה בן מאה ועשר במותו (יהושע כ"ד, כ"ט). נ"י. זנה – המחבר מנמק בפירושו את דעתו שיהושע היה פחות מבן עשרים מתוך השבועה שנשבע ה' שדור המדבר לא יבא אל הארץ, ולא הוציא מן השבועה כי אם כלב בן יפונה (כך נראה מפשט הכתובים: במדבר י"ד, כ"ד; דברים א', ל"ו). ועל כרחנו נאמר שיהושע נכלל בתוך הטף („בחסרי עשרים חדשים"), ולא היה צורך להוציאו מתוך השבועה. [

החשבון של המחבר עפ"י ספר שופטים ושמואל הוא:

ארבעים שנה במדבר (40); יהושע שפט את ישראל מן הכבוש עד מותו חמשים שנה (50); כושן רשעתים שמונה שנים, שופטים ג', ח' (8); עתניאל בן קנז ארבעים שנה, שופטים ג' י"א (40); עגלון מלך מואב שמונה עשרה שנים, שופטים ג', י"ד (18); ותשקוט הארץ שמונים שנה, שופטים ג', ל' (80); דבורה וברק בן אבינועם ארבעים שנה, שופטים ה', ל"א (40); ביד מדין שבע שנים, שופטים ו', א' (7); גרעון ארבעים שנה, שופטים ח', כ"ח (40); אבימלך שלש שנים, שופטים ט', כ"ב (3); תולע בן פואה עשרים ושלש שנים, שופטים י', ב' (23); יאיר הגלעדי עשרים ושנים שנה, שופטים י', ג' (22); תחת יד הפלשתים שמונה עשרה שנה, שופטים י', ח' (18);



ג. קאהוט, ע' 311; אגדות היהודים, ח"ה, 227–228. גם המין היהודי חייו הבלכי ערך אחת מטענותיו נגד בראשית ט"ו, י"ג: „זרעך יעונה ויעובד ארבע מאות שנה תמהת איך גור עלימו זה בלי חטאות” (חשובות סעדיה על טענות חייו הבלכי, הוצאת דוידסון, ע' 66 והערות המו"ל. ע"ג במאמרי הנ"ל ברבועון האנגלי, כרך ל"ח, 325).

## שאלה ט

(ע' מ', שו' 31)

למה בחר ה' במצרים להיות בית עבדים לישראל? איזה קשר יש בין זה שעור לא נשלם עוד עון האמורי (בראשית ט"ו, ט"ז) ובין בחירת מצרים להיות בית עבדים לישראל?

כפי הנראה כבר הטרירה השאלה הזאת את הקדמונים. עיין מסכת שמחות, פרק ח': ראוין היו ישראל להשתעבד אלו לא עמד פרעה במצרים שנאמר ועבדום וענו אותם ארבע מאות שנה... אלא שמגלגלין זכות על ידי זכאי וחובה על ידי חייבים.

## שאלה י

(ע' מ', שו' 33)

מדוע משנה ה' את רעתו? בברית בין הבתרים נשבע ה' שיתן לזרעו של אברהם ארצם של עשרה גוים (בראשית ט"ו, י"ט–כ"א), בחמשה מקומות מנה ששה גוים (שמות ג', ח'; י"ז; ל"ג, ב'; ל"ד, י"א; דברים כ', י"ז), במקום אחד חמשה (שמות י"ג, ה') ובמקום אחד שלשה (שמות כ"ג, כ"ח) ומשה רבנו אמר שבעה (דברים ז', א')?

[שכטר – עיין בראשית רבא פרשה מ"ד] (טעאדאראלבק, 445): ר' חלבו בשם ר' אבא בשם ר' יוחנן כך עלה בדעתו של הקב"ה שמנחל לישראל עשרת עממין ולא נתן להם אלא שבעה... בנוגע לששה עממין עיין ירושלמי שביעית פרק ו', הלכה א', בסוף ההלכה: גרגשי פנה והלך לו; ע"ג ויקרא רבא י"ז, ו'. על פי מדרשים אחרים גם הכנעני פינה את הארץ כאשר שמע שישראל נכנסין לארץ (מכילתא, מסכתא דפסחא, פרשה י"ח; תנחומא בא, י"ב). בנוגע לחמשה עממין עיין מכילתא, מסכתא דפסחא, פרשה י"ז: והיה כי יביאך ה' אל ארץ הכנעני (שמות י"ג, ה')... בארץ חמשה עממין הכתוב מדבר וכו'. וע"ג מכילתא דרשב"י (הוצ' האפפמאן, ע' 35). בנוגע לשלשה עממין עיין רש"י לשמות כ"ג, כ"ח (הוצאת ברלינר, הערת המו"ל).

## שאלה ו

(ע' מ', שו' 23)

מדוע נזכרה מיתה אצל בני שת (בראשית פרשה ה') ומדוע לא נזכרה מיתה אצל בני **צ** חוץ מאצל הרן ותרח (בראשית פרשה י"א)?

עיי' מדרש אגדה (הוצ' באבר, 25): ולמה כתוב בדורות הראשונים וימת ובעשרה דורות האחרונים לא נאמר וימת לפי שהראשונים היו עתידים למות במבול לפיכך כתוב בהם מיתה אבל האחרונים שהם עומדים לקיום עולם לא כתיב בהם מיתה.

## שאלה ז

(ע' מ', שו' 25)

איך אפשר שבמשך תקופה קצרה של עשרים ושנים, מיום מכירת יוסף עד ירידת יעקב ובניו למצרים יקרה הכל כמסופר בבראשית ל"ח: יהודה נושא אשה, את בת שוע, היא יולדת לו שלשה בנים, את ער, אונן ושלה. ער גדל ונושא את תמר, ער מת ואונן אחיו נושא את תמר. גם אונן מת ותמר יושבת אלמנה בית אביה. יהודה נושא את תמר והיא יולדת לו את פרץ וזרח. פרץ גדל ובניו חצרון וחמול הם בין יורדי מצרים (בראשית ל"ח; מ"ז, י"ב).

בעלי המדרש עמדו על הקושי הזה. [שכטר – עי' סדר עולם רבא, פ"ב, ועי' ראב"ע לבראשית ל"ח, א']. ועיין מדרש לקח טוב על בראשית ל"ח, ב': זה המעשה היה קודם מכירת יוסף. ע"ג בכתר תורה הקראי. וע"ג תורה שלמה, ע' 1442, הערה ב'.

## שאלה ח

(ע' מ', שו' 29)

ה' הבטיח לאברהם אבינו שזרעו יהיה כמספר הכוכבים ואברהם האמין בה' (בראשית ט"ו, ה', ו') ומדוע אמר לו ה' אחרי כן שבניו יהיו עבדים בארץ לא להם ושיענו אותם **ו** ארבע מאות שנה (בראשית ט"ו, י"ג)?

רוב הקרמונים סוברים שבשביל שאלתו של אברהם במה אדע? (בראשית ט"ו, ח') שיעבר ה' את זרעו. עיין נדרים ל"ב, ע"א; סדר אליהו רבא, י"ד (פרידמאן, 65) ותרגום יונתן. על שאר מקורות עיין גנוי שכטר, ח"א, 45 הערה 22; תורה שלמה, ע' תרנ"ז. אבות הכנסיה הנוצרית חוץ מהירונימוס לא הודו בחטאו של אברהם על ידי שאלתו, במה אדע". עיין ל. גינצבורג, ספר היובל לכבודו של

ביאורים שונים נמצאים בספרות המדרשית. מדרש אחד אומר: „מהו ברמות? מכאן שנולד מהול“. עיין מדרש בראשית רבתי (הוצאת אלבק, 57 והערה 24). בעלי מדרש אחרים הדגישו את רשעת בני קין ואת צדקת בני שת, אשר רק הוא זכה שזרעו יצא מן המבול מפני שנה היה מזרעו של שת. עיין פרקי דרבי אליעזר, כ"ב; מדרש הגדול לבראשית (הוצ' מרגליות, קל"א); בראשית רבא, כ"ד: אלה תולדות אדם, אין הראשונות תולדות למה שהן כלין במים (הוצ' טעאדאר-אלבק, 236; ע"ג במנחת יהודה, שם, ע' 222); ׀ בספרות החיצונית הנוצרית הפליגו ברשעת בני קין ובצדקת בני שת, שם; עיין גינוא, פרק ו'; צואת אדם הראשון, פרק ג', בתרגום הגרמני של Paul Riessler, Altjuedisches Schrifttum ausserhalb der Bibel, 1928, p. 1086.

## שאלה ה

(ע' מ', מ', שו' 19)

המקור משחמע לשתי פנים:

א. איך אפשר ליישב את הסתירה הבאה: ה' אמר לנח כאשר היה בן חמש מאות שנה שידון את העולם בעור מאה ועשרים שנה כפי פירוש התרגום ובאמת דן את העולם במבול כעבור מאה שנה, כאשר נח היה בן שש מאות שנה (בראשית ה', ל"ב; ו', ג'; ז', י"א).  
בשאלה זו כבר טפלו חז"ל. עיין מדרש בראשית רבתי (הוצ' אלבק, 56 ובהערת המו"ל 19).

ב. יותר נראה שבעל האוסף הבין את הפסוק כפשוטו שה' קצב ימי חיי האדם לק"כ שנה, והוקשה לו שגזירת ה' לא נתקיימה שכן היו ימי חיי האנשים גם אחרי המבול יותר ממאה ועשרים שנה. עיין ראב"ע ושאר מפרשים (שכטר). התרגומים ואחרים מבעלי המדרש סלקו את הקושיה בבארם את הפסוק שה' נתן ארכא של מאה ועשרים שנה לדור המבול לעשות תשובה. ועי' ירושלמי נויר ז', הלכה ב'; מדרש הגדול לבראשית (הוצ' מרגליות, קל"ה). גם הירונימוס תרגם את הפסוק הזה בולגטא כמו התרגומים שלנו. בשאלה זו טיפל גם הנויר אנסטסיוס הסינאי בתשובותיו על שאלות של אפיקורסים. עיין במאמרי ברבועון האנגלי, כרך ל"ט, ע' 81. אחרים מבעלי המדרש הסבו את הפסוק בבראשית ו', ג' על משה רבנו שחי מאה ועשרים שנה. עיין בבראשית רבא, פרשה כ"ו (הוצ' טעאדאר-אלבק, 253). ע"ג A. Geiger, Jüdische Zeitschrift, I, 180.

## שאלה ב

(ע' ל"ט, שו' 15)

במה סער אדם הראשון בנן ערן?

כבר בספרות החיצונית דנו בשאלת טיבו של עץ הדעת (בראשית ג', ו'). עפ"י ספר חנוך (ל"ב, ד) עץ הדעת גפן היה. בספרות התלמודית והמדרשית יש מחלוקת על טיבו של עץ הדעת. עיין סנהדרין ע', ע"א; בראשית רבא ט"ו, ג' (הוצאת טעאדאריאלבך, 139); תורה שלמה, בראשית, ע' ר"כ. גם בין אבות הכנסיה היו חלוקי דעות על עץ הדעת. רובם נטו לדעה, שעץ הדעת תאנה היה. הגנוסטיקים הורו, שעץ הדעת גפן היה. עיין לוי גינצבורג, האנה אצל אבות הכנסיה. מונאטששריפט, כרך מ"ג, ע' 461; אנדות היהודים, ח"ה, ע' 98-97.

י. זנה – אין לשאלה זו שום עניין לטיבו של עץ הדעת. קשורה היא, כנראה, בשאלה הקודמת, והיא אם לא הותר בשר לאדה"ר איך יכול היה לערוך סעודת משתה. ואולי יש כאן רמז למאמרו של ר' יהודה בן תימא (סנהדרין נ"ט, א'), אדה"ר מיסב בנן ערן היה והיו מלאכי השרת צולין לו בשר וכו'.]

## שאלה ג

(ע' ל"ט, שו' 15)

כמה זמן היה אדם הראשון בנן ערן?

עפ"י הספרות התלמודית והמדרשית אדם וחווה היו בנן ערן רק שעות אחדות. עיין סנהדרין ל"ח, ע"ב: שתיים עשרה שעות הוי היום, שעה ראשונה הוצבר עפרו... תשיעית נצטווה שלא לאכול מן האילן, עשירית סרח, אחת עשרה נידן, שתיים עשרה נטרר והלך לו. ע"ג פסיקתא רבתי (הוצאת פרידמאן, קפ"ג, ע"ב); פסיקתא דרב כהנא, בחורש השביעי (הוצ' באבר, ק"ן, ע"ב); בראשית רבא י"ח, ו'; כ"ב, כ' (הוצאת טעאדאריאלבך 168, 205). עפ"י ספר היובלים (פרק ג') ישבו אדם וחווה בנן ערן שבע שנים עד שחטאו ויותר משלשים שנה אחרי החטא. אבות הכנסיה קבלו את השקפת חז"ל (ל. גינצבורג, אנדות היהודים, ח"ה, 106, 134).

## שאלה ד

(ע' ל"ט, שו' 17)

למה לא נזכר אצל קין והבל שהם נולדו כרמותו וכצלמו של אדם כמו שנוכר אצל שת, אשר נולד לאדם בהיותו בן מאה ושלשים שנה (בראשית ה', ג')?

## באור השאלות מקורותיהן ותשובותיהן במדרש ובתלמוד

### שאלה א

(ע' ל"ט, שו' 13)

למה לא הותרה אכילת בשר לאדם הראשון כ"א לבני נח?

בספרות המדרשית הרבו לדון בשאלה זו ותשובות שונות נתנו עליה. עיין במדרש אגדה לבראשית (הוצאת באבר, כ"א, ע"א): הותרה בשר תאווה לנח לפי שהקריב קרבן ועוד שהכל למיתה הם עומדים אבל לאדם לא הותר לפי שהכל לחיים הם עומדים עד שחטא ונגזר על כל בריה למות ולמה לא הותר לאדם לאכול בשר כרי שלא יהא חוטא נשכר; ע"ג מדרש בראשית רבתי (הוצאת חנוך אלבק, ע' 54, 64). ע"ג סנהדרין נ"ט, ע"ב (שכטר); בראשית רבא לד, יג (הוצאת טעאדאר-אלבק, 324). אולם במדרש ובתלמוד נמצאת גם דיעה מתנגדת והיא שהותרה אכילת בשר לאדם הראשון. זאת היא דעתו של רבי יעקב דכפר חנוך (חנניה) המונה אבר מן החי בין המצוות שניתנו לאדם הראשון ו"א שבשר שחוט הותר לו לאכול. עיין בראשית רבא מז, ו (הוצאת טעאדאר-אלבק, 151); מדרש תנחומא, הוצאת באבר, סוף פרשת שמיני (ע' 30): מתחילת ברייתו של עולם היה הכל מותר. ע"ג ובחים קטז, ע"א. שם אנחנו קוראים שהבל הקריב קרבן שלמים וקרבן שלמים כידוע בשרו נאכל. עיין במאמרו של יחיאל מיכל גוטמאן, בחינת קיום המצוות, ע' Jahres-bericht des jüd.-theolog. Seminars für das Jahr 1930 (Breslau, 1931), 1. המחלוקת בשאלה זו היא כפי הנראה עתיקה מאד. כבר פילון האלכסנדרוני (שאלות בבראשית, ח"ב, 58): עונה על השאלה מהו מובן הפסוק: כירק עשב נתתי לכם את כל (בראשית ט, ג) שיש אומרים שיש לראות בפסוק הזה היתר אכילת בשר. גם בין אבות הכנסיה שלטו חלוקי דעות בשאלה זו. עיין לוי גינצבורג, האגדה אצל אבות הכנסיה, מונאטסשריפט, כרך מג, 461. גם אצל הקראים אנחנו מוצאים חלוקי דעות בשאלה זו. החכמים הראשונים שלהם החזיקו. כ"י לא היה אכילת בשר מותר בלא מזבח מימי קדם עד שהקריב נח. עיין רבועון אנגלי, סדרה חדשה, כרך יב, 484, כרך טז, 371. אבל הקראים המאוחרים החזיקו שכבר לאדם הראשון הותרה אכילת בשר. עיין כתר תורה לאהרן האחרון, בראשית לח, ע"א. ע"ג י. מאנן, רבועון אנגלי, סדרה חדשה, כרך י"ב, ע' 484. ל. גינצבורג, אגרות היהודים, ח"ה, ע' 93, הערה 56; ע' 189, הערה 56.

רצה ודרש בכל הספרים, אנא תמצא חדשים משלשים יום חסרים, המבול ומעשה  
 15 דויד ויהונתן מבררים<sup>282</sup>, כאשר תצף המצותה:  
 עֲשֵׂה יָדַע מְבֹאוֹ בְּעֶרְבַּ וּמֹצֵאוֹ בְּבֹקֶרֶם, כִּי יָרַח עָשָׂה לְמוֹעֲדִים<sup>283</sup>, אֵין לְמוֹצֵאוֹ  
 קִבֵּעַ וּשְׁעוּרִים, עֲתִים בְּיוֹם וּבְעֶרְבַּ וּבְחֲצֵי לַיְלָה וּבְשַׁחַר חֲצֵא בְּלֹא סְדָרִים, עֲתָה  
 תִּרְאֶה מִשְׁמֵי שָׁפָרִים, וְעֲתִים נִכְסְתָה<sup>284</sup>:  
 תִּמְוֹךְ אֲשׁוּרִי אֲנִי אֶלֶךְ בְּחֻמִּי<sup>285</sup>, אֵלֵי צוּרִי מִשְׁעָרֵי מוֹת מְרוֹמִי<sup>286</sup>, וְהִרִימָה רֹאשִׁי  
 20 וּכְבוֹדִי נִגְדַּ זְקֵנִי עִמִּי<sup>287</sup>, יי אלהי תמיד היה לי לעזרתה:

<sup>282</sup> עיין במבוא, ע' ל"ה. עיין להלן שאלה ק"ג.

<sup>283</sup> תהלים ק"ד, י"ט. נ).

<sup>284</sup> עיין ראש השנה, כ"ה, ע"א.

<sup>285</sup> תהלים כ"ו, י"א.

<sup>286</sup> שם, ט', י"ד.

<sup>287</sup> עפ"י שמואל א' ט"ז, ל'.



## ב. קטע גינצבורג

(חרוזי תה)

ובצאתם חוץ בלי לגעת, בכל טמא כה וכה פונים והנפש הנגעת, גלתה העלתה<sup>269</sup>:  
נחלו פתאים אולת<sup>270</sup>, ערת חנף גלמוד<sup>271</sup> נואלת, אש תאכל אהלי תרמית ועולת,  
אחרית רשעים נכרתה<sup>272</sup>:

שער אדרת ילבשו למען כחש<sup>273</sup>, והאנשים ימהרו ויחלטו<sup>274</sup> דרך נחש, ותמימי  
דרך יראו נפלאות לבם ירחש, תפול עליהם אימתה<sup>275</sup>:

עזובה ונלך איש לאהלו, כי נגע אל השמים משפטו ועיקולו, ונשא עד שחקים עדי  
רום זבולו, רפאנו את הגבעה<sup>276</sup> ולא נרפתה<sup>277</sup>:

פשע ומוקש היתה מימים קדמונים, מימי הפלגש שם חטאו בני ימינים, שם עמדו  
עד היום באחרונים, נאם יי כי אחי מרתה:

צאו וחשבו פסח באי הארץ, הלא נפל יום חמישי במרץ<sup>278</sup>, וממחרת הפסח אכלו  
מתבואת הארץ, חטה ושעורה כי לא נכתה<sup>279</sup>:

קבע שבועות נפל יום ששי בתעצומות<sup>280</sup>, כי מיום ששי החלו לספור שבעה שבועות  
תמימות, מהחל חרמש בקמות<sup>281</sup>, כאשר צוה התרשחא:

269 נחום ב', ח' (נ').

270 משלי י"ד, י"ח.

271 איוב ט"ו, ל"ד.

272 תהלים ל"ז, ל"ח.

273 זכריה י"ג, ד'.

274 מלכים א' כ', ל"ג (נ').

275 שמות ט"ו, ט"ז.

276 בכה"י: נבעה. התקון עפ"י ש. ח. קוק, גנזי קדם, ח"ד, 108.

277 עפ"י ירמיהו נ"א, ט' (נ') עיין הערה 28 עיין מאנן, טכסטים ומחקרים, ח"ב, 60.

278 עפ"י גינצבורג בהקדמתו לקטע הזה בעל הקטע מתווכח נגד דעת הקראים שחג השבועות  
חל תמיד ביום הראשון בשבוע בהתאם לבאורם של ממחרת השבת (ויקרא כ"ג, ט"ו-ט"ז). הוא  
מביא ראיה מפסח באי הארץ שחג השבועות הוחג אז ביום הששי בשבוע ולא ביום הראשון.  
טענתו היא, הלא יום ראשון של פסח של באי הארץ חל ביום החמישי בשבוע וממחרת החלו  
לאכול מעבור הארץ (יהושע ה', י"א) ז"א שהקריבו את העומר ביום הששי וחג השבועות חל  
ביום החמישים אחרי היום הזה ז"א ביום הששי בשבוע. כמו שבעל הקטע אומר: קבע שבועות  
נפל יום ששי. המקור של בעל הקטע שיום א' של פסח של באי הארץ חל ביום ה' בשבוע הוא  
בלתי ידוע לנו. עפ"י סדר עולם רבא (פרק י"א) יום א' של פסח של באי הארץ חל ביום א'  
בשבוע (גנזי שכתר, ח"ב, 493-494). כדאי לציין שהמין משוי העכברי דרש ש.הפסח יתחייב  
שיהיה לעולם ביום חמישי. כפי הנראה התכוון ליום הקרבת הפסח ז"א שיום א' של פסח חל  
עפ"י ביום הששי בשבוע. עיין אשכול הכופר, מ"ב, ע"ב.

279 שמות ט', ל"א-ל"ב (נ').

280 בכה"י בתעצומות. התקון עפ"י גינצבורג.

281 בכה"י: בממות. התקון עפ"י גינצבורג.

10 צפירת מנורת זהב ועל ראשה גלה, ועליה שבעה נרות ושני בני היצהר מימנה ומשמאלה, העמדים על ארון כל הארץ כלה<sup>256</sup>, הוא אב בית דין מימין הגאון והשלישי משמאלו לתהלה, ושבעה רועים ושמונה נסיכי חבורת הצדק הכלולה, המלמדים בישראל תורה מפורשה<sup>257</sup>:

פנו וראו או הבדיל ביד הוקנים<sup>258</sup>, להבדיל מקהל יי כל סרבים וסלונים, וכל הממרים ולתורתם שמוע מאנים, מחוץ לעדת יי מושבם כמצורעים ובעלי שחינים, ולא יכתבו<sup>259</sup> בכתב בית ישראל החרושה:

עטרת תפארת תמננס אשרי העם שככה לו, אשר מקרבו יצא מושלו, נש אל יי להרום וגלו, ודבר שלום לכל גלות ישראל בארבע זויות משלו, להם תורה אחת לפרשה: סבותי ימים ואיים וארץ גזרה, ובידי כסף לאנשי האלהים להביא תשורה, למלמדי ומשכילי מצוה ותורה בנבורה, ואין קול ענות חלושה:

נער בן שמונה עשרה יצאתי ממגורי, מארץ תובל<sup>260</sup> מבית הורי, ועזבתי את כל יגיע אבי ואת כל יקרי, והלכתי נוכח מבוא השמש<sup>261</sup> למורי, חכמת המקרא לדרשה: מהמחתי שנים בגולה ורוב ימים, עד קראתי המקרא מראש ועד תמים (?). . . . ושלשה וששה פעמים, חמשה עשר<sup>262</sup> הפסוק<sup>263</sup> לשון קדושה וכן הלעז בניאומים, והפתרון<sup>264</sup> עד להקדש<sup>265</sup> בריציומים<sup>266</sup> על פה כמים המזורמים, פי ימהר יחישה: למרוב הלהג<sup>267</sup> אשר עשרים וארבעה ספרים, היו בפי סדרורים, עשיתי גרולים ונפלאים ספרים, והנם בישראל בגלוי ולא במסתרים . . . שלשה: כל זה שעמלתי ושחכמתי בפתרון המקרא ובסגנה<sup>268</sup> עוד . . .

256 זכריה ד', ב'.

257 עיין י. מאנן, היהודים במצרים ובא"י, ח"א, 277.

258 זכריה ד', י'.

259 בכה"י: וליכתבו. התקון עפי' באכר. עיין יחזקאל י"ג, ט'. עיין הערה 116.

260 עיין מבוא, הערה 27.

261 עיין מבוא, הערה 26.

262 האותיות של המלה אחרי 'תמים' הן מטושטשות. מאנן קורא, שמונה ושלשה וששה פעמים חמשה עשר ז"א:  $101 = 15 \times 6 + 3 + 8$ . מספר המתאים למאמר חז"ל: ואינו דומה שונה פרקו מאה פעמים לשונה פרקו מאה ואחד פעמים (חגיגה ט', ע"ב). עיין מאנן, טכסטים ומחקרים, ח"ב, 59. אבל הקריאה, שמונה היא מפוקפקת מאד. יתכן שיש כאן מלה, מאה'. כדאי לציין יונה אבן ג'נאח התפאר במספר הפעמים שעבר על המקרא. עיין דינבורג, ישראל בגולה, ח"א, 372.

263 פסוק – מקרא. עיין פסיקתא דרב כהנא, בחודש השלישי, הוצאת באכר, ק"ז: זה שאמר

הפסוק: נתחומא נח, י'. ע"ג זאב באכר, השקפה צרפתית, כרך ט"ז, 277.

264 בעל האוסף מתפאר בזה שקרא לא רק את המקרא הרבה פעמים כ"א גם את תרגום

המקרא (לעז) ופירוש המקרא (פתרון). עיין מאנן, טכסטים ומחקרים, ח"ב, 59. עיין על לעז

ופתרון, צונץ, געזאממעלטע שריפטען, ח"ג, 64.

265 מאנן קורא: להרק. שם.

266 בכה"י: בריציומים. המובן בלתי ברור. כהנא ומאנן קוראים: בריצוי יומים ומבארים

במשך יומים. יתכן שבעל האוסף מתכוון למלה, להדק' בדברי הימים ב' ל"ד, ו' וכוונתו היא שלמד את פירוש כל המקרא עד סוף דברי הימים.

267 להג – עיין קהלת י"ב, י"א-י"ב. השוה דקדוקי הטעמים, סי' 2 (ע' 1): וללהג ספרים

לא יצרך.

268 האותיות מטושטשות. כהנא קורא: בסגונה.

קשר מגין כפול ואלה העולים, ובנין הבית ותפלת ממשל משלים, וגבורי דויר ומספר ישראל ומיתת שאול כפולים, מה נלמד מהם ומה מועילים, בהם חכמה לפתורה: רק מיתת יהושע ושמואל פעמים רשומה, וביאת סנחריב וחרבן הבית כפולים 30 חתומה, ורוב דברים אשר אין לה לכתוב לרעת על מה, נחקקו כפלים במקרא<sup>245</sup>: עפר גלגל המלים בדמיון שכליו, כמו גוער בים רוגע הים ויהמו גליו, ויפצר בם ויפרץ בו במליו, שחיס סחיש עלגים לעני שפה ערליו, מלתעות מתלעות עכשוב בית עכביש כסליו, אשר יקוט בתחליו, ואחריו החזיק ההרה<sup>246</sup>: תמורת איך אעשה איך אביא במנינם, קפור קפו יעלז יעלז ימקו וימכו בעונם<sup>247</sup>, ועוד כל תוין בראש אם הם יסוד לשרת אינם, חוץ תומיך גורלי ותשורי למלך, 35 חמשה הנה הנם, במדה במשקל ובמשורה<sup>248</sup>: קנוא קנאתי לקדושי עדתי<sup>249</sup>, ובאפי עלתה חמתי, על הצולעה היושבת המתרפקת לעמתי<sup>250</sup>, ומלין תפציר על חכמי אומתי, לאמור אפס משיב ועומד למנמתי, מאהלי בן ברוקה<sup>251</sup>:

#### אחרת

#### (חרוזי שד)

תאמר מצאנו חכמה פלילה, כי לנו המקרא נחלה, ואין מי יעמוד בחכמי גורן עגולה, חבורת הצדק הקרושה: עשוקים על דלתות תלמוד ומשנה, אשר חכמתם כמרחבי ים ישנה, ובמקרא לא יספנו<sup>252</sup> רעתם לכוונה, כי בלבם חרושה: 5 ראם קרניו בהם יגנח לצים<sup>253</sup>, אל כל ישראל אשר בארבע פנות נפוצים, גורתיו ודתותיו יצאו אצים נחוצים, גאון יעקב אבן הראשה: קרן שבעה עינים על אבן אחת חקוקים, שבעה החברים משכילי הדברים עתיקים, שבעה אלה עיני יי משוטטים בכל הארקים<sup>254</sup>, ללמד בישראל משפטים וחקים, ותורת משה צוה לנו מורשה<sup>255</sup>:

245 עיין להלן שאלה צ"ט.

246 עיין להלן שאלה ק'.

247 עיין להלן שאלה ק'.

248 עיין להלן שאלה ק"א.

249 בכה"י: לקדושה עדתי. החקון עפ"י סליסון. כהנא קורא: לקדושת עדתי.

250 עיין הערה 29.

251 עפ"י ש. ח. קוק וגנזי קדם ד, 108; לוח ירושלים לשנת תש"ז, קפ"ה) ברוקה הוא שם מקום מצפון לירושלים ששם היה ישוב של קראים בחצי הראשון של המאה ה"א. אולם עיין מאנן, טכסטים ומחקרים, ח"ב, 60.

252 ספן – הוקיר והחשב.

253 עיין מבוא, ע' ל"ג.

254 זכריה ד', י'.

255 דברים ל"ג, ד'.

קָשַׁב עֵינָיו יַחֲיוּ מִיּוֹמִים אַחִיה, וּבִשְׁלִישִׁי יִקְיָמוּ וְנַחֲיָה<sup>228</sup>, מֵאֵין יֵצֵא פִתְרוֹנוֹ וְאִיה, נִרְדֵּה נִרְדֵּה אַחֲרֶיךָ כְּגֹר אֲרִיה, עוֹלָה טוֹרֶף טֶרֶף:  
צִירֹף הֶרֶג וְחֶצֶב נְבִיאִים לְהוֹצִיא לְאוֹר מִשְׁפָּטוֹ, וְחֶפֶץ חֶסֶד מֵאֲדָם מַעֲלֹת חֲטָאוֹ,  
10 בְּעֵינָי אֶחָד יֶחֶד יִהְיוּ מִתְנַהֲלִים לְאֹטוֹ, בְּאִמְרָה כִּמְטֵר עֲרוּפָה<sup>229</sup>:  
פֶּשֶׁר „בְּאִסְרֵם לִשְׁתֵּי עֲוֹנוֹתָם”<sup>230</sup>, „וְאִנִּי תִרְגַּלְתִּי לְאִפְרַיִם קָחַם עַל זִרְעוֹתָם”<sup>231</sup>,  
לֹא אֲאָמִין בְּשׂוֹא נִתְעָה כִּי שׂוֹא תִהְיֶה תְּמוֹרַתָּם<sup>232</sup>, וְהֶאֱרִץ חֲנֻפָּה<sup>233</sup>:  
עֵינָי אִיה כִּי הַמֶּלֶךְ בָּכָה, וַיֹּאמֶר שְׁלַחְנִי וְהַחֲלִיפוּ לְמַבּוּכָה, עַל לֹא חֲמַס בְּכַפּוֹ  
וְתַפְלָתוֹ זָכָה, בְּכִיה עֲלִי נֹסֶפֶה<sup>234</sup>:  
15 סָרַר עֲמוֹס עַל אַרְבַּעָה וְעַל שְׁלֹשָׁה<sup>235</sup>, וְאִבּוֹן בַּעֲבוּר נַעֲלִים פַּעֲמִים חֲרוּשָׁה<sup>236</sup>,  
נַעֲלִים וְלֹא נַעֲלִים הִיָּה לוֹ לְאֲרוּשָׁה, פַּעֲמִים רַתּוֹ מְאֹלְפָה<sup>237</sup>:  
„נִשָּׂא אַחֲכֶם בְּצַנוּת”, וְהִשְׁלַכְתֶּנָּה הֶהֱרֹמוֹנָה” פִּתְרָם נִכּוֹן פִּתְרֵי פִתְרוֹנוֹת, וְלֹא בְּכֶסֶף  
אֲשׁוּנוֹת, עַל חֲרָשׁ צוּפָה<sup>238</sup>:  
מְבַלֵּיג שׁוֹר עַל עֵז . . .

### (חֲרוּי רָה)

20 מְקוֹמוֹת, פֶּה לַעֲיֵן קְדוּמוֹת<sup>239</sup>, וּבִרְאִשׁוֹן בְּסֹדֶר כְּתוּבָה לְרַקְמוֹת, עֲרוּכָה וּשְׁמוּרָה:  
סָרַר וּבִהֲקֵבָן שְׁנֵית בְּתוּלוֹת, וּמִרְכֵּי יֵשֵׁב בְּשַׁעַר הַמֶּלֶךְ בְּמַסְלֹת, מִתִּי נִקְבְּצוּ  
בְּתוּלוֹת, שְׁנֵית בְּמִקְהֻלוֹת, אֵל שׁוֹשֵׁן הַבִּירָה<sup>240</sup>:  
עֶרֶךְ כּוֹרֵשׁ וּדְרִיּוֹשׁ וְאֲרַתְחַשְׁתָּא וְאַחְשׁוּרוֹשׁ, אִיךְ מְלָכּוֹ בְּסֹדֶרֶם תִּדְרוּשׁ<sup>241</sup>, וְכִמָּה  
מְלָכּוֹ עִם שְׁבַעִים שְׁנֵי הִגְלוֹת תַּחְרוּשׁ, לְתַעֲוֶדָה וְתוֹרָה<sup>242</sup>:  
25 פִּתְרוֹן שְׁלֹשׁ הַשְּׁנִיִּים<sup>243</sup>, וְמִי רָאָה כֵּן בְּחֻזּיוֹנִים, אֲשֶׁר רָאָה כֵּן דְּנִיָּאל אֱלֹה מְאֹלָה  
שׁוֹנִים, פִּקְרָם חֲשֶׁבֶם בְּאֲמוּנִים, לְצַרְף וּלְבִרְרָה<sup>244</sup>:

228 עֵינָי לְהֵלֶן שְׂאֵלָה פִּד.

229 עֵינָי לְהֵלֶן שְׂאֵלָה פִּה.

230 עֵינָי לְהֵלֶן שְׂאֵלָה פִּי.

231 עֵינָי לְהֵלֶן שְׂאֵלָה פִּי.

232 אִיּוֹב טִי, לִיא.

233 יִשְׁעִיהוּ כִּד, ה'.

234 עֵינָי לְהֵלֶן שְׂאֵלָה פִּח.

235 עֵינָי לְהֵלֶן שְׂאֵלָה פִּט.

236 עֵינָי לְהֵלֶן שְׂאֵלָה צ'.

237 בְּכָה־: מְאֹלְפָה. פּוֹרְגָם מִצִּיעַ: מְסוּלְפָה אוֹ מְחוּלְפָה. עֵינָי לְהֵלֶן שְׂאֵלָה צִא.

238 עֵינָי לְהֵלֶן שְׂאֵלָה צִב.

239 עֵינָי לְהֵלֶן שְׂאֵלָה צִג.

240 עֵינָי לְהֵלֶן שְׂאֵלָה צִד.

241 עֵינָי לְהֵלֶן שְׂאֵלָה צִה.

242 עֵינָי לְהֵלֶן שְׂאֵלָה צִו.

243 עֵינָי לְהֵלֶן שְׂאֵלָה צִז.

244 עֵינָי לְהֵלֶן שְׂאֵלָה צִח.

צוה לפקוד על יהוא דמי זורעאל, ועל בעשא מדמי ירבעם חמור להרעל, יתכן  
 40 כזה דרכי תמים פועל, מתכן עלילות ואל דעה<sup>216</sup>:  
 קודם אמר והקים יי' לו מלך למעלה, אשר יכרית בית ירבעם עד לכלה, כי  
 כלבבי עשית לבית אחאב בפלילה, היטיבות לעשות הישר סלה, ואחרי כן שב  
 ויתאונן עליהם בעלילה, כי שמרו מצותו בתחילה, להגיע אליהם כמעשה הרעה<sup>217</sup>:  
 ראה נא עוד דרך נכוחה, אמר הנביא לדויד בשיחה, לך עשה יי' אלהיך ירצך  
 45 במנחה, ואחרי כן נחם אתה לא תבנה לי בית מנוחה, כי אם בנך הוא יבנה לי  
 משכנות מבטחה, בית תפלה ושועה<sup>218</sup>:  
 עקד והסית את דויד [בצדה]<sup>219</sup>, לך מנה את ישראל ואת יהודה, ואחר אמר  
 שלוש אנכי נוטל עליך במדה, אם הוא חטא מה חטאו העדה, כי כרעו לטבח אברה,  
 ללא חמס בכפיהם ורשעה<sup>220</sup>:  
 50 תאניה כזאת נעשתה [בבני עלי]<sup>221</sup>, הם היו בני בליעל לא ידעו את יי' אלי,  
 הם חטאו ומתו [ועמם שלש]<sup>222</sup> אלף רגלי, וכמה וכמה כאלה אודיעה<sup>223</sup>:

אמרות . . . בענינים אלה ושוון, אם בקשתי למלאות פתשגן הנשתון, אז פנים ואחור  
 חרטי היתון, און שמעת ועין ראה:

#### אחרת

#### (חרזי פה)

תשובת, ואכרה לי בחמשה עשר כסף אמורים, וחמר שעורים ולתך שעורים,  
 מרת [מה]<sup>224</sup> היא לתך ובין כסף ושעורים, הודיעוני בבירורים, באמרה צרופה:  
 עזפו מאין יצא זה המספר, דבור בענינו כצפת על העמוד<sup>225</sup> מוצפר, אנה חרות  
 באמרי שפר, ויורעי הכתוב בספר, יוכיחו בין שנינו המצפה<sup>226</sup>:  
 5 ראו כל הענין הזה לבור, שמעו זאת הכהנים וישראל במצבור, ובית המלך  
 יחד לחבור, אנה היו, רשת פרושה על חבור, ופח למצפה<sup>227</sup>:

216 עיין להלן שאלה ע"ז.

217 עיין להלן שאלה ע"ח.

218 עיין להלן שאלה ע"ט.

219 כהנא פציע. למרידה, סליסון - לאמור. האותיות הן מטושטשות אבל אפשר להכיר

את האותיות הבאות: ב־דָה. יתכן: בעדה.

220 שכטר השמיט את המלה הזאת הנראית ברורה לי.

221 התקון עפ"י כהנא. עיין להלן שאלה פ'.

222 התקון עפ"י פורנס וכהנא.

223 עיין להלן שאלה פ"א.

224 ההוספה עפ"י פורנס.

225 עפ"י דברי הימים ב' ג', ט"ו (שכטר).

226 עיין להלן שאלה פ"ב.

227 עיין להלן שאלה פ"ג.

הומיה? יהואחז אחיו מלך בעגלה יפיה, ושמך יהוחנן הנה שמה ושערוריה, והיה רק זוועה<sup>199</sup>:

מַפְסֵר זרע דוד והלויים משרתים<sup>200</sup> במעמר, יהיה כחול הים אשר לא ימר<sup>200</sup>, יכשר דברי נביא י"י במלים בלי מעמר<sup>201</sup>, ונראה ונשתעה:

יוצר<sup>202</sup> ובורא כל גואל ישראל ואבירי, דבר בקדשו כי לא ימלוך לעולם על עררי, מזרע המלוכה ליושב נזרי, כי לא יהיה עוד מנועו<sup>203</sup> מושל על עמי בחירי, הרבר יצא מפי הנותן תשועה<sup>204</sup>:

„יונת אלם“, העיר היונה<sup>205</sup> בחירה, חרון וחרב היונה אמורה<sup>205</sup>, ועוד קרא למלך בבל ששך תמורה, ועל יושבי לב קמי רוח נבערה<sup>206</sup>, וסער וסועה:  
כלי אחד ששה זרועים בלולים אגורים, ועשית אותם לך לחם ככרים, ומכולם לא הזכיר כי אם עוגת שעורים, בפיו לשמועה<sup>207</sup>:

לשאת עון בית ישראל צוה בשפעים<sup>208</sup>, ימים שלש מאות ותשעים ועון בית יהודה ימים ארבעים [ואיך]<sup>209</sup> יפקדו אלה השנים לישראל לבר ירועים, וליהודה לבר בלי תעתועים בחכמה ודעה<sup>210</sup>:

מַסְפֵּר שלשים שנה<sup>211</sup> ושבוע ועשרים, מאין תחלתם ואנה תכליתם בכירורים, ומה ענינם אצל נביא להחשב במפקד מספרים, בקרב שנים תודיעה<sup>211</sup>:

נאם אלה האנשים החשבים און ואין בפיהם אמת, ויהי כהנבאו ופלטיה בן בניה מת, ואזעק ואומר אהה בחרב נקם נקמת, תכלה אותם עד ארגיעה:

סָחוּב והשלך אם מת פלטיהו בן בניה, לחרפות לדראון עולם לשאול תחתיה, מדוע לברו זעק ואויה, כלה אתה עושה לאום שלשיה<sup>212</sup>, והארץ רועה התרועעה<sup>213</sup>:  
זָנָה לקחת ממנו מחמדו במגפה, ותמת אשתו כאשר היום לערוב רפה, ואם בקש להראות אות לאות יפה, לא יכול כי אם באשתו העניה לעורפה, במות פחועה<sup>214</sup>:  
פָּלֵא כזה צוה להושע כפלים, לך קח אשת זוננים מגלת שולים, וילך ויקח את גמר בת רבלים, יכשר כזאת שערוריה בנביאי ירושלים, לקחת זונה צועה<sup>215</sup>:

199 עיין להלן שאלה ס"ז.

200 ירמיהו ל"ג, כ"ב.

201 ב. מ. לויין מצייע לתקן כאן: 'יכשר נביא דברי ה'. עיין ספר רב סעדיה גאון, ע' תפ"ה. ועיין שם גם על שמושה של המלה, מַפְסֵּר.

202 שכטר מוסיף עפ"י ישעיהו מ"ה, ז' את המלה, אור' אשר אינה נמצאת בכה"י.

203 בכה"י: מנועו. שכטר מגיה: מנועו. כהנא ולויין קוראים: מזרעו.

204 עיין להלן שאלה ס"ח.

205 עיין להלן שאלה ס"ט.

206 עיין להלן שאלה ע'.

207 עיין להלן שאלה ע"א.

208 כן בכה"י. פורנס מצייע: בצפיעים, עפ"י יחזקאל ד', ט"ו.

209 החקון עפ"י פורנס.

210 עיין להלן שאלה ע"ב.

211 עיין להלן שאלה ע"ג.

212 עיין הערה 86.

214 עיין להלן שאלה ע"ה.

213 עיין להלן שאלה ע"ד.

215 עיין להלן שאלה ע"ו.



## אחרת

## (חרו"י עה)

אמרתי אשימה לרוחי מעצר<sup>180</sup>, אשמרה מחסום כבלום אוצר, והנה רשע לגדרי<sup>181</sup> מלים יפצר, לרבר אל י"י תועה<sup>182</sup>:

במתג ורסן לבלום<sup>183</sup> ולשרפה(?)<sup>184</sup>, פה היושבת בתוך האיפה, ככר עופרת להשליך אל פיה ואל שפה, אשר למהלמות יקרא<sup>185</sup> ברופי רגופה<sup>186</sup>, והנה זאת הרשעה<sup>187</sup>:

5 גמורה הוות תחשוב לשונה כתער<sup>188</sup>, על קדושי י"י הרחיבו פה בפער, ויאמרו לבנות לה בית בארץ שנער, כי משם יצאו מרעה אל רעה<sup>189</sup>:

דבה יוציאו על צדיק בנאוה ובוזה, מחללי מועד י"י נוגי ממועד<sup>190</sup> בדאנה ורגוה, דבר י"י וחכמיו לבם בזה, לא אבו שמוע זאת המרגעה<sup>191</sup>:

10 דאשימם אלהים<sup>192</sup>, היורי זקים שניהם חצים ומות כמתלהלים<sup>193</sup>, אשר אין חליפות למו, ולא יראו אלהים<sup>194</sup>, ולא שבו מדרכם הרשעה:

15 נמהם עוד תקח בפלילים, והשלכת אותם אל תוך הגחלים, ממנו תצא אש אל כל בני תם יושב אהלים<sup>195</sup>, כי בערה כאש רשעה<sup>196</sup>:

זה אלהים חילי נתן לי לשון למודים<sup>197</sup>, וישם פי כחרב וחצים חדים, להגיר על פניהם דרך צועדים, ולהחריש אשר הם בודים, ולא יהיה בפיהם לשמועה<sup>198</sup>:

15 קילו. בכו בכו להולך" בשביה, שלום המלך בן יאשיה, ואנה מלך שלום בעיר

180 משלי כ"ה, כ"ח.

181 תהלים ל"ט, ב'.

182 ישעיהו ל"ב, ו'.

183 תהלים ל"ב, ט'.

184 בכה"י: ולשם פה. על השולים מן הצד יש תקון מאת המעתיק שהוא קצת מטושטש.

יתכן שיש לקרוא. לשרפה" כמו שהציע פורגס נ'י. זנה – קרוב לודאי שצריך לתקן: ולשתום פה' מלשון. שתם תפילתי, ומקביל איפוא ל. לבלום, והכוונה לבלום ולשתום פה במתג ורסן.

185 משלי י"ח, ו'.

186 כן בכה"י. כהנא מציע: נגופה. יתכן גם כן: נדופה.

187 וזכריה ה', ח'.

188 תהלים נ"ב, ד'.

189 מוסב על הקראים. עיין י. מאנן, היהודים במצרים ובא"י, ח"א, 276.

190 עיין הערה 111.

191 ישעיהו כ"ח, י"ב (כהנא).

192 תהלים ה', י"א.

193 משלי כ"ו, י"ח (כהנא).

194 תהלים נ"ה, כ'.

195 יחזקאל ה', ד' (כהנא).

196 ישעיהו ט', י"ז (כהנא).

197 ישעיהו נ', ד'.

198 עפ"י יחזקאל ט"ז, נ"ז.

ערך. הכל היום" פשר הבניה, יחרוש הזורע בארץ נשיה, לפתרון חטה ושעורה זרויה, קצח וכמון עיני צופיה, מה זאת, "עצה פליאה הגדיל תושיה", אשר האלהים עשה<sup>158</sup>:  
 15 פרעות שבע על חטאתיכם בשונן, ועוד מכה כפלים לבקש תאנון, ואיה חסדיך הראשונים י"י רחום וחנון, כל עון תשא<sup>159</sup>:  
 צבא כל הגוים מדי שבת וחודש, איך יבוא כל בשר להשתחות בציון לקודש, וזכריה החליף מרי שנה בקודש, מלך רם ונשא<sup>160</sup>:  
 קצרה היד ולאח לחות חכמת המקרא פליאה, כל אשר הלב יבין לאלפים ומאה,  
 20 והריו יקפא [בעט] <sup>161</sup> בכנף הראה<sup>162</sup>, להחם חפש מחפשה<sup>163</sup>:  
 רוננים ל[קח] י[למדו] <sup>164</sup> להם, [ול]א יכבירו בבלי דעת מליהם<sup>165</sup>, הוי חכמים בעיניהם ונבונים לגדר פניהם<sup>166</sup>, והנה דברי המורים מאסו וחכמת מה להם<sup>167</sup>, כי נעו בארח [צ"ל: מארח] חיים פלוסה<sup>168</sup>:  
 ענאלות המורים ימצאום אנשים בקשת<sup>169</sup>, הלא חבלים יאחזמו יושבי פלשת<sup>170</sup>,  
 25 עליה בגורל<sup>171</sup> עד השאיר אבניה בקיר חרשת<sup>172</sup>, ... נשא לנסה<sup>173</sup>:  
 תורות שאלחם שעטנו וכלאים<sup>174</sup>, ועדותם זו ילמדו<sup>175</sup> איש ונערו ילינו בתוך ירושלים<sup>176</sup>, [בא]הבים להתעלסה<sup>177</sup>:  
 יוצר ובורא הכל בדברו, יומם יצוה עלי חסדו ובלילה עמו שירו<sup>178</sup>, יזכרני ברצון עמו בחירו ויפקדני בתוך עדרו, חבית הצדיק ודורו, ואלעזר בן עזריה<sup>179</sup>: 30

158 עיין להלן שאלה ג'.

159 עיין להלן שאלה ג'.

160 עיין להלן שאלה ג'.

161 התקון עפ"י סליסון.

162 שם עוף. דברים י"ד, ג'.

163 תהלים ס"ד, ז'.

164 התקון עפ"י פורנס. עפ"י ישעיהו כט, כד.

165 עפ"י איוב לה, טז, פורנס מציע: לשוא יכבירו, אבל האותיות של "ולא" הן די ברורות.

166 ישעיהו ה', כ"א.

167 ירמיהו ח', ט' (כהנא).

168 משלי ה', ו'.

169 שמואל א' ל"א, ג'; דברי הימים א' י', ג'. מובן הבתים: ש' ות' שבחרווי סה היא

בלתי ברור. סליסון רואה בהם שאלות במקומות קשים במקרא. יותר משכנעת היא דעתו של פורנס שהבנים האלה הם דברי פולמוס של בעל האוסף נגד הקראים. אנחנו נותנים את השאלות: ס'-ס"ו רק בתור השערה. עיין להלן שאלה ס'.

170 שמות ט"ו, י"ד. עיין שאלה ס"א.

171 שופטים כ', ט'. עיין להלן שאלה ס"ב.

172 מלכים ב', ג', כ"ה. עיין להלן שאלה ס"ג.

173 עיין להלן שאלה ס"ו.

174 עיין להלן שאלה ס"ה.

175 תהלים קל"ב, י"ב.

176 נחמיה ד', ט"ז (שכטר). עיין להלן שאלה ס"ו.

177 עפ"י משלי ו', י"ח.

178 עיין ש. אסף, קרית ספר, ה', 47.

עול ימים בן כמה שנים יהיה בעתו, ויקום עליו נדרו ושבעתו, אלה החקים אשר  
 15 צוה בין אב לבתו, אלהים שוכן מעלה<sup>143</sup>:  
 סדר השבטים למה כן על הברכה והקללה<sup>144</sup>, ועוד דרך מבוא השמש במסלה,  
 בארץ הכנעני היושב בשפלה, אי זה הדרך יחלק אור תחלה<sup>145</sup>, והשמש בא ונעלה,  
 ויהי חשך אפלה<sup>146</sup>:  
 נביא י"י לא'הוהיר על החלב באלה הדברים<sup>147</sup>, וגם לא זכר יום תרועה וכפורים<sup>148</sup>,  
 20 כאשר הזכיר כל המועדים ברוב צו ושחיטה ואכילת צאן ושוירים, בזבח ועולה:  
 מגרש עיר המקלט שש באמורות צוה והיו אלה לכם בכל מושבותיכם לדורות,  
 ואיך שש ערים יהיו בכל מושב לדורות, ויהודה וישראל גלו בשערי [צ"ל: משערי]  
 הארץ להזרות, להיותם לאלה ולקללה<sup>149</sup>:  
 לעבר אמר כי משנה שכר שכיר עבדך<sup>150</sup> ב... .

## (חרוי סה)

ילדים אין לאבשלום כן במקרא נאמר, כי אין לי בן אמר, הציב לו מצבת למשמר,  
 ואיך ויולדו לאבשלום שלשה בנים ובת ושמה תמר, אשה יפת מראה כחרסה<sup>151</sup>:  
 כביר צונו בתורתו במלה, לא תאכלו כל טרפה ונבלה, ואיך צוה לעורבים את  
 אליה לכלכלה, יום יום לעמוסה<sup>152</sup>:  
 5 לתך בחמשה כסף הרבינונים, וראש חמור בכסף שמונים, הגד באמת ובאמונים, אם  
 עמך כמוסה<sup>153</sup>:  
 מליצה זאת בנועם, הגד בנחת ולא בזעם, ובעוד ששים וחמש שנה יחת אפרים מעם,  
 בטרם ידע הנער בטעם<sup>154</sup>, ברע למאסה<sup>155</sup>:  
 נהוג מספר השנים ועתם, מאין ראשיתם ובאי זו תכליתם, מאיזה יום ועד גלותם,  
 10 לבז ולמשיסה<sup>156</sup>:  
 שכל פתרון צו לצו קו לקו, בארו במשקולת וגם קו, ולא ישיג משפט אשר משפט  
 יקו, הן תוחלתו נכזבה ונמסה<sup>157</sup>:

143 עיין להלן שאלה מ"ה.

144 עיין להלן שאלה מ"ו.

145 איוב ל"ח, כ"ד.

146 שמות י', כב. עיין להלן שאלה מ"ז.

147 עיין להלן שאלה מ"ח.

148 עיין להלן שאלה מ"ט.

149 עיין להלן שאלה נ'.

150 עיין להלן שאלה נ"א.

151 עיין להלן שאלה נ"ב.

152 עיין להלן שאלה נ"ג.

153 בכה"י: כסוטה. התקון עפ"י כהנא. עיין להלן שאלה נ"ד.

154 בכה"י: בפעם. התקון עפ"י באכר.

155 עפ"י ישעיהו ו', ט"ז-ט"ז.

156 עיין להלן שאלה נ"ה.

157 עיין להלן שאלה נ"ו.

איך נזהרו חקים אלה<sup>124</sup> בתורת א[רני]<sup>125</sup>, משומ<sup>126</sup> עם עולם הגידה וערכה<sup>127</sup>:  
תורת שור או כשב או עז כי יולד בעדר, עגל וגדי כמו כשב כן יהדר, ושור או שה  
[אוחו]<sup>128</sup> ואת בנו כגידר<sup>129</sup>, פרה ורחל ואת בנה יסדר, זאת המסכה [הנסוכה]<sup>130</sup>:  
באהל מועד מחוץ לפרכת, ועוד מחוץ לפרכת [העדות]<sup>131</sup> באהל מועד נהפכת,  
25 וכאלה רבות בימין חיים נארכת<sup>132</sup>, נפש משיבה:

### אחרת (חרוזי לה)

תשלומי בהמה ומכה אדם יומת, למה הזכירו פעמים זה לזה לעמת<sup>133</sup>, בשני מכה  
בהמה ומכה אדם מגמת, ובראשון הוסיף נשמת, רוח אדם העולה<sup>134</sup>:  
„שבע שבתות שנים“ באמונה, ידע כמה יעלו מי מנה, „שבע שנים שבע פעמים“ למה  
עוד שנה, ועוד שלש „שבע שבתות השנים“<sup>135</sup> לאונה, „תשע וארבעים שנה“, לקול  
המולה גדולה<sup>136</sup>:

5 רשם וישלח משה לחותנו, ולא נודע מתי שב למשה במחנו, ויאמר לו לכה אתנו  
היות לנו עינו<sup>137</sup>, מאין נדע אם הלך אם שב למעונו, ואל ארצו סלה<sup>138</sup>:  
קשר ציצית צוה לעשותם, על כנפי בגדיהם לדורתם, ונתנו על ציצית הכנף פתיל  
תכלת באדרותם, איך נכין הציצית והתכלת בסדרותם, במעטה תהלה<sup>139</sup>:  
צוה אלהים לבלעם קום לך עם השרים, ואחר ויחר אפו כי הולך בזיהורים<sup>140</sup>,  
10 ויצא אתו להחרים, וישלח מלאך והשיגו בין המצרים, בדרך לא סלולה<sup>141</sup>:  
פגעו וצוהו ביחודו, לדבר כל אשר ידבר לו הפחידו, כי אם היה מקלל במצות  
פקודו, אלוה ברברו עמו ישמידו, וכן אמר ואציל אתכם מידו, היש אלוה בלעדו.  
רב העליל (י)<sup>142</sup>:

- 124 שכטר העתיק בטעות: כאלה.  
126 בכה"י: משומי. התקון עפ"י כהנא ופורנס.  
127 עפ"י ישעיהו מ"ד, ז'.  
128 התקון עפ"י פורנס.  
129 גידר – עשה גדר, תקן (פורנס).  
130 ההוספה עפ"י כהנא. עיין להלן שאלה ל"ו.  
131 התקון עפ"י פורנס.  
132 כן בכה"י. שכטר הציע. מארכת עפ"י משלי ג', ט"ז. עיין להלן שאלה ל"ז.  
133 עיין להלן שאלה ל"ח.  
134 עיין להלן שאלה ל"ט.  
135 בכה"י. השכם. התקון עפ"י פורנס.  
136 עיין להלן שאלה מ'.  
137 בכה"י: למעינו. התקון עפ"י כהנא. פורנס מציע: היות לו למעינו. סלינסון: היות  
למעינו, פונססקי: היות עינו.  
138 עיין להלן שאלה מ"א.  
139 עיין להלן שאלה מ"ב. עיין גם מבוא, הערות: 36–37.  
140 זיהורים – שחר, כמו זהרי חמה.  
141 עיין להלן שאלה מ"ג.  
142 עיין להלן שאלה מ"ד.

שכל מבינים אמרי האזינו<sup>108</sup> בינו הגיגי<sup>109</sup>, הנה כהני יי בהיות הקדשים בידם למללגי<sup>110</sup>, ורוח הקדש בם לא ידעו ענות לחגי, אף כי עתה נוגי רוח סוני מוגי לב ממועד נוגי<sup>111</sup>, וקראת אליהם ולא יענוכה:  
 10 עמוקה משאל מה תרע להעל, גבהי שמים מה תפעל<sup>112</sup>, אם אןמרת אןחכמה<sup>113</sup> וארים ירי במועל, גם הוא עון פלילי ומעל, כי כחשת [ל]אל ממעל<sup>114</sup>, מחטאת סדרם ההפוכה<sup>115</sup>:  
 פרש הכל בפרט שמים עשרה ערות, אם חתנתו וחונתו ואביו ואמו לא הזהיר<sup>116</sup> לצות, ועונש בת בנו ובתו ואחות אביו ואמו לא זכר לחות, אם נתכסה עמם בשמיכה<sup>117</sup>: צווים כן עונשם לא הזכיר כשורה, הפכם למטה למעלה בעונשם בהזהרה, עונות אחרונות אחריו החזיק החרה<sup>118</sup>, כעונה בלי הפוכה<sup>119</sup>:  
 15 קב<sup>120</sup> גם כי קבה אררים שנים עשר, לא זכר כי אם ארבע מהן באלה ובאסר, וכל הנותרות דחה וחסר, בעמך ובכה<sup>121</sup>:  
 רצוף אהבה עם שפחה נחרפת, איל אשם כפרתו תמור רשעה מסלפת, ולמה אשמים מושיבי נכרית נצעפת, עת לא ליום אחד המלאכה<sup>122</sup>:  
 20 עקרו מתחתני בעם מצרי קהל המוני, להוציא כל [אש]ה<sup>123</sup> והגולד מהן בעצת אדני,

108 כהנא ופורנס מתקנים: שכל אמרי מבינים האזינו נ'י. זנה – התקון ללא צורך. שכל מבינים" הוא במקום. מביני שכל, וכוונת הפסוק: מביני שכלו אמרי האזינו, בהקבלה ל' בינו הגיגי" (השווה צונץ, ל'ג דער סינאגוגאלן פאעזיע, נספח II, סי' 16, ע' 642).  
 109 תהלים ה', ב'.

110 שלש האותיות האחרונות הן משושטשות קצת. המוכן הוא בלתי ברור. כהנא קורא: למלא רמות לגי. פורנס מציע: למלא פלגי. המלה היא בת שש אותיות ואין שם מקום לחקונים המוצעים נ'י. זנה – אולי ציל: למלל גי – למלל גא. והכוונה. לדבר ה' שהוא גאה. השווה חגי ב', י"א: כה אמר ה' צבאות שאל נא את הכהנים].

111 יחזקאל כ"א, כ'; משלי י"ד, י"ד וצפניה ג', י"ח (וכהנא). הדברים האלה מופנים כלפי הקראים אבל ציון אשר הפכו את המועדים לימי אבל. עיין ר. מאהלער, קאראימער, 195, 223 וא'. שכטר השמיט את המלה. סוני" עפ"י טעות.

112 איוב י"א, ח'.

113 קהלת ז', כ"ג. התקון עפ"י פורנס.

114 עפ"י איוב לא, כח.

115 איכה ד', ו' (פורנס).

116 בכה"י: להזהיר. התקון עפ"י סליגסון. עיין להלן שאלה ל"א.

117 במקור כתוב. אחות מאביו ואמו אבל כפי הנראה זאת היא טעות המעתיק מפני שעל השוכב עם אחותו כתוב בויקרא כ', י"ז: ונכרתו לעיני בני עמם. מפני זה מציע סליגסון לקרוא כאן במקור. אחות אביו מפני שעל השוכב עם אחות אביו כתוב רק. עונם ישאו' וויקרא כ', י"ט). אמנם יתכן שהמוכן. אחותו מאביו" הוא כמו אחות אביו ואין צורך בתקון כלל. עיין שאלה ל"ב.  
 118 נחמיה ג', כ'.

119 הושע ז', ח'.

120 כן בכה"י. עיין במדבר כ"ג, כ"ה.

121 שמות ז', כ"ט (וכהנא). עיין להלן שאלה ל"ג.

122 עזרא י', י"ג (וכהנא). עיין להלן שאלה ל"ד.

123 המלה היא רק בת שלש אותיות והיא ברורה.

- 15 שנים נמנה<sup>92</sup>, ובחשבון השני [רק]<sup>93</sup> ארבע עשרה שנה, ואיך מלך זכריה בן ירבעם הנה, בשנת שלשים ושמונה שנה, הנה דרך נלווה<sup>94</sup>:  
 זך נכתר אחז בשנת שבע עשרה לפקח, ובשנת שנים עשרה לאחז הושע למלוכה לקח, אלה שמונה שנים איך נמסו כרקח<sup>95</sup>, לשבי ולבוה<sup>96</sup>:  
 חרט עור כי מלך הושע בשנת עשרים ליותם, וכבר יותם נקבר ונסתם, איזה מושל עלי ימשול אז איתם<sup>97</sup>, אם לי רוה<sup>98</sup>:  
 טבע שני יהויכין שמונה עשרה וחדשים שלשה, וברברי הימים שמונה שנים וחדשים שלשה, ועשרת ימים חרושה, השכיליה יודעי רת מורשה, מול מחזה אל מחזה<sup>99</sup>:  
 יחש הגולה שמונה עשרה אלף בשנת שמונה, וארבעת אלפים ושש מאות בשנת שבע הכל ימנה<sup>100</sup>, וכן בראשית ממלכת יהויקים יתנה, והנה ביד המלאכים הבאים אל צדקיה יכנה, בדאנה ורגוה<sup>101</sup>:  
 [כן] הוציא יהויכין מבית האסירים, ביום חמשה ועשרים [וביום] שבעה ועשרים<sup>102</sup>, וכן בעשר לחדש ועור בשבעה [לחודש] מחסרים, בגאווה ובוהה<sup>103</sup>:  
 למספר דברי הימים ומ... צרופים, זה לזה יוסיף...

### (חרוץ כה)

וערוכה:

משכילי עם הואילו פנו אלי, ועל פניכם אם אכזב במלי<sup>104</sup>, כל אשר באהל יטמא וגם כלי אבני גללי, ואיך לא יטמאו צמיד פתיל כלי, ביד חזקה ובחמה שפוכה<sup>105</sup>:  
 נכח (כזה) כלי אטום כערכו, אשר יהיה עם אשר ימות בסוכו<sup>106</sup>, כן השכיל [ו] וכלי חרש אשר יפול מהם אל תוכו, ואם נפל השרץ בצדו או הכלי ישב עליו ודרכו, איך לא ישבר ויחתכו, ותתש בחמה לארץ השלכה<sup>107</sup>:

92 עיין להלן שאלה כ'.

93 האותיות מטושטשות. התקון הוא בדרך השערה.

94 עיין להלן שאלה כ"א.

95 בכה"י: ברקח. התקון עפ"י פורנס וכהנא.

96 עיין להלן שאלה כ"ב.

97 עיין תהלים י"ט, י"ד: אל ימשלו בי אז איתם (פורנס).

98 עיין להלן שאלה כ"ג.

99 מלכים א' ז', ד'. עיין להלן שאלה כ"ד.

100 עיין להלן שאלה כ"ה.

101 עפ"י כה"י. שכטר התקשה בקריאה. עיין להלן שאלה כ"ו.

102 עיין להלן שאלה כ"ז.

103 התקונים הם שלי עפ"י כה"י. עיין להלן שאלה כ"ח.

104 איוב ו', כ"ח.

105 עיין להלן שאלה כ"ט.

106 כן בכה"י. כהנא מתקן: בתוכו.

107 יחזקאל י"ט, י"ב (כהנא). עיין להלן שאלה ל'.



בקר עוד ימי דויד ושמואל לאטים, ועלי ואגרת יפתח וימי השופטים, איך יגיעו לארבע מאות ושמונים נפרטים, בלי תעות?<sup>78</sup> ומעה?<sup>79</sup>  
 איש בשת לא היה לשאול בתחלת מלכותו, ואחרי מותו נמצא ארבעים למולדתו, וארבעים לאבשלום במרידתו, לפני מלכים לראוה?<sup>80</sup>  
 נאה צורה יפה תמונה, גש הלאה והסר תואנה, ואל דברי האוינה, והשב מן המקרא נכונה:

## אחרת

## (חרוץ זך)

אסא בשנת עשרים ושש למלכותו מלך אלה, וכבר בעשא מת קבור במחלה, ואיך בשנת שלשים ושש לאסא בעשא ע[לה, מ]קבר אחוה?<sup>81</sup>  
 בן אחאב הוא יהורם מלך על שמרונה, בשנת שנים ליהורם בן יהושפט שנים עשרה שנה, ועוד [יהורם בן] <sup>82</sup>יהושפט מלך ונתמנה, בשנת חמש ליורם בן אחאב . . . מלך בחיי אביו וממלכת אביו נכונה, בקריה עליה?<sup>83</sup>  
 גוע יהורם בן יהושפט בן ארבעים, ובמותו כבר היה קטן בניו בן שנים וארבעים?<sup>84</sup>, ומלך בשנת שנים עשרה בקבועים, ועוד באחת עשרה שנים?<sup>85</sup> לתעתועים, הלא זאת רוח עושים וחמה עזה?<sup>86</sup>  
 דרג ירבעם בן יואש במלכות אום שלישה?<sup>87</sup> בשנת חמש עשרה למלכות אמציה, ובשנת עשרים ושבע לירבעם מלך עזריה בן אמציה, ובשנת עשרים ושלוש שנה ליואש בן אחזיה, [מלך יהואחז] <sup>88</sup>ועוד בשלשים ושבע מלך בנו בקשת רמיה, והמלאכה נמבזה: דלא חמש עשרה שנה מלך אמציה עם ירבעם, ובשנת חמש עשרה לירבעם המלך עזריה על העם, ואיך יחשב עשרים ושבע בפעם, ובראש כלם ובצעם?<sup>89</sup> השמנה היא ח רזה?<sup>90</sup>  
 נבחשבון הראשון במות ירבעם והורד לאשמנה?<sup>91</sup> כבר עזריה במלכות עשרים ושבע

- 78 כן בכה"י. כהנא מתקן: טעות. התקון הוא ללא צורך. עיין סלמון בן ירוחם, מלחמות השם, ע' 61: תעות תועה.  
 79 עיין להלן שאלה י"ג.  
 80 עיין להלן שאלה י"ד.  
 81 עלה מקבר אחוה – עפ"י כה"י. עיין להלן שאלה ט"ז.  
 82 התקון עפ"י פורגס.  
 83 עיין להלן שאלה ט"ז.  
 84 עיין להלן שאלה י"ז.  
 85 בכה"י: שמת. התקון עפ"י פורגס.  
 86 עיין להלן שאלה י"ח.  
 87 אום שלישה – כנוי לכנסת ישראל. עיין ישעיהו י"ט, כ"ד. כבר יניי השתמש בכינוי זה.  
 עיין פיוטי יניי, הוצאת מ. זולאי, רס"ג.  
 88 התקון עפ"י סלינסון ופורגס.  
 89 עמוס ט', א'.  
 90 במדבר י"ג, כ'. עיין להלן שאלה י"ט.  
 91 אשמן – קבר. עיין ישעיהו נ"ט, י'.

כִּזָּה הִיכָשֶׁר לָכֶם יֹדְעֵי תְבוּנָה, כִּי הַבּוֹרָא חָתָךְ קֶץ לְדוֹר הַמִּבּוֹל וּמִנֵּה, וְהִיָּה יָמֵי  
 20 מֵאָה וְעֶשְׂרִים שָׁנָה, בְּקֶצֶב וּקְצוּהָ<sup>61</sup>:  
 יִשָּׂר דְּבַר יִי<sup>62</sup> בְּכָל הַמִּכְתָּב חֲפָשׁוּ, וְאוֹלֵי הַשָּׁנִים תְּבוּאֵינָה אֶל נֶכּוֹן הַסּוֹ, וְהִיָּה לְאַחֹר  
 וְלֹא לִפְנִים<sup>63</sup> כִּי נִחְפָּשׁוּ בַּמִּנִּין וּתְקוּהָ:  
 מְפַסְרָ<sup>64</sup> שֶׁת וְדוֹרוֹ יוֹמָם נִחְרַת, שֶׁם וְדוֹרוֹ בִּלְעָדִי תִרַח וְהָרֵן מִן הַמִּכְתָּב נִכְרַת,  
 הַלְעִיטָנוּ<sup>65</sup> מֵעַם יֵעֶרֶת, לְמַעַן סָפּוֹת הַרוּהָ<sup>66</sup>:  
 25 חָק בַּעַת הֵיכִיא וִירֵד יְהוּדָה, טָרַם הַמִּכְר יוֹסֵף הֵנָּה לַתּוֹרָה וּלְתַעֲוִיָּה<sup>67</sup>, מֵה בָצַע  
 וְ[לֹא]<sup>68</sup> עִמָּם הִיָּה בַּעֲדָה, וּבִתּוֹךְ עֲשָׂרִים וּשְׁתֵּים שָׁנִים... הִגִּיעַ אוֹנוֹן עִם אִשָּׁה  
 לַהּוֹעֲדָה... לְחִירוֹשׁ בַּעֲגָלָה מִלְמַדָּה<sup>69</sup>, וְהִלֵּרֶת פֶּרֶץ וּבְנֵי פֶרֶץ חֲצִירוֹן וְחִמּוּל לַעֲוֹדָה,  
 יָמֵי שְׁנוֹתָם בָּהֶם כִּמָּה לַהֲתוּהָ<sup>70</sup>:  
 קִי עוֹלָם הַבְּשִׁיחַ הָאֵב וְהַסְבִּירוֹ, כִּה יִהְיֶה זֶרַעַךְ וְהָאִמִּין בִּרְבֵּרוֹ, וְאִךְ אַחֲרֵי כֵן  
 30 עָנָהוּ בְּאֵף וְהִמְרִירוֹ, כִּי גַר יִהְיֶה זֶרַעַךְ בְּאַרְץ צָרוֹ, לְהַפֵּר אֶת הָאֲחֻזָּה<sup>71</sup>:  
 זָמַן אִם לֹא שֶׁלֶם לְאִמּוּרֵי, לְמָה מְכַל הָאוֹמוֹת הָעֵבִידוֹ הַמִּצְרִי, לֹא יוֹכֵל הִיּוֹת בְּכָל  
 הָאֲרָצוֹת וּבַמַּעֲבָר<sup>72</sup> עֲבָרִי, נִפְרַד לְתַאֲוָה<sup>73</sup>:  
 נְבוֹיָם הָהוּא נִשְׁבַּע לְתַתּוֹ עֲשָׂרָה גּוֹיִם מוֹרְשָׁה, אִךְ וּבַחֲמִשָּׁה מְקוֹמוֹת אִמֵּר שָׁשָׁה, וּבְאַחֲרֵי  
 חֲמִשָּׁה וּבְאַחֲרֵי שְׁלֹשָׁה, וּמֹשֶׁה הוֹסִיף שְׁבַעַה בַּהֲפִרְשָׁה, וְאַנָּה צוּהָ<sup>74</sup>:  
 35 קָפְרִישׁ אַרְבַּע מֵאוֹת שָׁנָה חִבֵּל, לֹרְעוֹ בַּעֲבֻדוֹת סָבֵל, וְאַחֲרֵי כֵן הוֹסִיף שְׁלֹשִׁים  
 הָרַעַת לְבִלְבָּל, מֵאִין חֲצֵאָנָה אֵלֶּה הַשָּׁנִים אֲשֶׁר הִתּוּהָ<sup>75</sup>:  
 דָּבַת הָאָרֶץ שָׁמְעוּ וַיִּמְנוּ הָרִים, אִם יִרְאֶנָּה אִישׁ לְמַעַלָּה מַעֲשִׂיָּם, בִּלְתִּי כֹלֵב בֵּן  
 יִפְנֹה הַקִּנִּי מִן הַגִּרִּים<sup>76</sup>, הוּא יִרְאֶנָּה בְּשִׁלּוּהָ:  
 גַּשׁ הָלֵאָה וְהָכֵן נֶכּוֹן בְּאִישִׁים, יְהוֹשֻׁעַ בַּחֲסָרֵי עֲשָׂרִים הָרָשִׁים, וְאַרְבַּעִים בַּמְדַּבֵּר הֵנָּה  
 40 שָׁשִׁים, וְנוֹתוֹר מִיָּמִיו בַּחֲלוֹק הָאָרֶץ חֲמִשִּׁים, בְּמוֹתוֹ אֲשֶׁר חִיּוּהָ<sup>77</sup>:

61 עֵיין לְהֵלֶן שָׁאֵלָה ה'.

62 תְּהִלִּים ל"ג, ד'.

63 יִרְמְיָהוּ ז', כ"ד.

64 עֵיין מִבּוֹא, הָעֵרָה 19.

65 בְּאִכֵּר מִצִּיץ לְתַקֵּן כָּאֵן: מַעֲט.

66 דְּבָרִים כ"ט, י"ח. עֵיין לְהֵלֶן שָׁאֵלָה ו'.

67 יִשְׁעִיָּהוּ ח', כ'.

68 הָאוֹתִיּוֹת מְטוֹשֶׁטְשׁוֹת. רַק אֵת הוּא וְאֵת הַלְמַד אֲפִשֶׁר לְהַכִּיר.

69 שׁוֹפְטִים י"ד, י"ח.

70 עֵיין לְהֵלֶן שָׁאֵלָה ז'.

71 עֵיין לְהֵלֶן שָׁאֵלָה ח'.

72 בְּכַה"י: וּבַמַּעֲבָר. הַתְּקוּן עֲפ"י שְׁכֵטֶר.

73 מִשְׁלֵי י"ח, א'. עֵיין לְהֵלֶן שָׁאֵלָה ט'.

74 עֵיין לְהֵלֶן שָׁאֵלָה י'.

75 עֵיין לְהֵלֶן שָׁאֵלָה י"א.

76 סְלִינְסוֹן מִתְּקֵן כָּאֵן: מִן הַתְּרִים. אֲבָל יִתְכֵּן שְׁנִרְסַת כַּה"י הִיא הַנִּכּוֹנָה. דַּעַת בַּעַל הָאוֹסֵף

הִיא שְׁכֵלֵב, מוֹצֵא מִן הַגִּרִּים. הוּא עֲרַבֵּב אֶת קִנּוֹ אֲבִיו חוֹרְנוֹ שֶׁל כֹּלֵב (בְּמַדְבָּר ל"ב, י"ב; יְהוֹשֻׁעַ

י"ד, ו'; ט"ז, י"ז; ע"ז תְּמוֹרָה ט"ז, ע"א) עִם קִנּוֹ בֵּן בְּנוֹ שֶׁל עֲשׂוֹ (בְּרַאשִׁית ל"ז, י"א).

77 עֵיין לְהֵלֶן שָׁאֵלָה י"ב.

צדק משפטי יי אמת יחרו צדקו<sup>40</sup>, מקצה מכתב אלהים אל קצהו יוברקו, יתנו עדיהם ויצדקו<sup>41</sup>, כאשר אלה צוה:  
 פועל שמים לא אשאלך איך ומה, ידעתי כי תבצר ממך מומה<sup>42</sup>, כי מי יספר שחקים בחכמה<sup>43</sup>, אדם להבל שוה<sup>44</sup>:  
 עלט ואור איך אמן רקמו, חשך איזה מקומו<sup>45</sup>, איזה הדרך יחלק אור ביומו, יפץ קדים עלי גוה<sup>46</sup>:  
 שם ממרי ארץ כי תבקר<sup>47</sup>, ומסך דלתי תהום כי תחקר<sup>48</sup>, העיני האנשים ההם תנקר<sup>49</sup>, אם יאמר לדעת יהיה לבו לב נעוה<sup>50</sup>:  
 הו' אלהים אשר עשה את האדם ישר, והמה בקשו חשבון משרשר<sup>51</sup>, בין תבין את אשר לפניך מישר<sup>52</sup>, ודבריו תאיר לפתח תקוה:  
 מאכל בשר למה לא הותר לבני אדם וחיה, כי אם לבני נח בנורה צוה, ומאדם ועד נח מה עשו, למה לא אכלו בשר תאוה, כי אדני לא צוה<sup>53</sup>:  
 מרוזים<sup>54</sup> במה סעד אדם בתוך הגנה<sup>55</sup>, וכמה לו שם יום או מאה שנה<sup>56</sup>, הגד אם ידעת בינה<sup>57</sup>, אור נא כנבר חלצין<sup>58</sup> בעז וחרדה:  
 לדת שת נקב בו אדם דמותו וצלמו, ולקין והבל לא נזכר עליהם גלמו, ומה עד שלשים ומאת לא הוליד בצלמו בעולמו<sup>59</sup>, כרמותו אשר לו<sup>60</sup> שוה:

40 תהלים י"ט, י'.

41 ישעיהו מ"ג, ט'.

42 איוב מ"ב, ב'.

43 שם, ל"ח, ל"ז.

44 עפ"י תהלים קמ"ד, ד'.

45 איוב ל"ח, י"ט.

46 שם, ל"ח, כ"ד.

47 שם, ל"ח, ה'.

48 שם, ל"ח, ט"ז.

49 במדבר ט"ז, י"ד.

50 משלי י"ב, ח'.

51 קהלת ז', כ"ט.

52 משלי כ"ג, א'.

53 עיין להלן שאלה א'.

54 בכה"י: מרוזים. פורנס הציע מתחילה לתקן 'מרוזים', אבל אחרי כן חזר מדעתו הראשונה. לי נראה תקונו הראשון. המובן של מרוזים הוא אבלים. עיין L. Zunz, Die synagogale Poesie des Mittelalters, ע' 389. בעל האוסף מחקין את הקראים על אבילות הנפשות. עיין להלן ע' מ"ז, שורה 7: מחללי מועד ד' נוני ממועד בדאנה ורנוה. ע"ז להלן ע' מ"ז, שורה 2: אף כי עתה נוני רוח סוני מוני לב ממועד נוני.

55 עיין להלן שאלה ב'.

56 עיין להלן שאלה ג'.

57 איוב ל"ח, ד'.

58 שם, ל"ח, ג'; מ', ו'.

59 עיין להלן שאלה ד'.

60 בכה"י: לא. התקון עפ"י פורנס.

רְוֹנִים וּבֹגְרִים מִנְחִישֵׁי מִצָּח<sup>23</sup> עַל דְּבַר כֹּזֵב, יַעֲרֹרוּ הָאִמֶּת וַיִּחְזְקוּ שִׁקְרָא וְכֹזֵב, וְהֵם  
 15 חֲכָמִים בְּעֵינֵיהֶם כְּגוֹי מִשְׁפָּט לֹא עֹזֵב<sup>24</sup>, הַלִּילֹו עֲלֵיהֶם הָהָ:  
 עֲשִׂמְעוּ שְׁמוֹעַ [בְּרוֹנוֹ] קוֹלֶם<sup>25</sup>, וְהִנֵּה מִפִּיהֶם יֵצֵא בְטַעְמֵי עֲקוֹלֶם, יִשְׂאוּ רֹאשָׁם בִּפְשֵׁר  
 שִׁיקוֹלֶם, הַשְּׂמָחִים לֵלֵל דְּבַר<sup>26</sup> וְקוֹמָתָם גְּבַהָה<sup>27</sup>:  
 תִּקְעוּ חֲצוֹצְרָה בְּרִמָּה שׁוֹפֵר בִּנְבֻעָה<sup>28</sup>, יֹאסְפוּ עִמָּם עַל הַצּוֹלְעָה<sup>29</sup>, לְהוֹצִיא מִלְּבָה  
 תַּעֲתוּעָה דְּבָרֵי בִלְעָה, הִיא רֵאתָה כֵּן תִּמְהָה<sup>30</sup>:  
 20 בְּאֹזְנֵי אִמְרָתִי (י) קוֹל מִלִּים<sup>31</sup>, לֵאמֹר נִדְעָ הַמִּקְרָא בְּכָל פְּעִלִּים, לֹא יוֹתֵר דְּבַר  
 מֵרֹאשׁ וְעַד יִשְׁלִים, הַמִּשְׁבַּח עֲצֻמוֹ בְּרֹב מִהֲלָלִים, אִם יֵשׁ מִלִּים הַשִּׁיבָה:

### אחרת (חרווי וד)

תְּשׁוּבוּ כֻלְכֶּם וּבֹאוּ אֵלַי, אִמְנֵם כִּי לֹא שִׁקְרָא מִלִּי<sup>32</sup>, אֲבִין שְׂאֵלִי... ׀ מוֹלִי<sup>33</sup>,  
 עַל בְּנֵי עֲלוּהָ<sup>34</sup>:  
 25 עֲשִׂאלוֹתֵי חֲבֵרְרוֹ מִן הַמִּכְתָּב<sup>35</sup>... , אֲשֶׁר בְּחֹרָה וּבִנְבִיאִים וּבִכְתוּבִים חֲקוּקִים,  
 בַּעֲדוֹת... וְחֻקִּים<sup>36</sup>, כְּתוּרָה וְכִמְצָה:  
 רְעִיּוֹן רוּחַ וְדַעַת הַכֶּרֶם... לְתַאֲבָתָם לְגֶרֶם, אִישׁ שִׁפְתִּים וְרֹב דְּבָרִים...  
 עֲמוֹ נִלּוּהָ:  
 קְשׁוּבוֹת תַּהֲיִינָה אוֹנִיךָ<sup>37</sup> לְדְּבָרֵי הַשְּׂכִילָה, דְּבָרֵי רוּחַ לֹא יוֹשִׁיעוּךָ וְהַרְבוֹת מִלָּה,  
 לְהוֹצִיא (י) מִסּוֹד הַמִּכְתָּב לְדֶרֶךְ לֹא סִלּוּלָה<sup>38</sup>, לְשׁוֹם הַמִּשְׁפָּט עוֹה עוֹה<sup>39</sup>:

- 23 בְּכֹה"י: מִכְחִישֵׁי הַמִּצָּח. הַתְּקוֹן עִפ"י פּוֹרְגֶס.  
 24 יִשְׁעִיהוּ ב"ח, ב'.  
 25 אִיּוֹב ל"ז, ב'. הָאוֹתוּתִיּוֹת שֶׁל "בְּרִנָּה" הֵן מְטוּשְׁטוֹת קֶצֶת אֲבֵל אֲפֶשֶׁר לְהַכִּיר אוֹתָן.  
 26 עֲמוֹס ו', י"ג.  
 27 יִחְזָקָל ל"א, ה'.  
 28 הוֹשֵׁעַ ה', ח'. עִפ"י ש. ח. קוֹק (לוֹחַ יְרוּשָׁלַיִם לִשְׁנַת הַתִּשְׁעִי, קִפ"ג וּא') מְכוּוֹן כֹּאֵן לְקִרְאִים,  
 מִפְּנֵי שִׁבְרָמָה וּנְבֻעָה הָיוּ בַּחֲצֵי הָרֹאשׁוֹן שֶׁל הַמָּאָה הִיא נִקְדוּת יוֹשֵׁב שֶׁל קִרְאִים.  
 29 צוֹלְעָה – כֶּת הַקִּרְאִים בִּירוּשָׁלַיִם. עֵינֵי י. מֵאֵן, הִיהוּדִים בְּמִצְרַיִם וּבִא"י תַּחַת הַפְּטִימִידִים  
 (אֲנִגְלוֹת), ח"א, 276. כִּדָּא כֹּאֵן לְצִיּוֹן שֶׁהִבִּיטִי. "צוֹלְעָה" שֶׁמֶשׁ לִפְטִינִים כְּגוֹי לַעֲם יִשְׂרָאֵל כּוֹלֹ  
 (נְנוּי שִׁכְטֵר, ח"ג, 161).  
 30 עִפ"י תַּהֲלִים מ"ח, ו'.  
 31 עִפ"י אִיּוֹב ל"ג, ח'.  
 32 שֶׁם, ל"ז, ד'.  
 33 שִׁכְטֵר קָרָא: לְמוֹדִי. כִּפִּי הִנֵּרָאָה טַעַה בְּקִרְיָאָה. הַלְמֵד הָאֲחֵרֹנָה הִיא בְּרוּרָה.  
 34 בְּכֹה"י: עוֹלָה.  
 35 מִכְתָּב – כְּגוֹי לְמִקְרָא כְּמוֹ. הַכְּתוּב" בַּסְּפָרוֹת הַמִּדְרָשִׁית. עֵינֵי יְהוּדָה חִינֵי, שְׁלֹשָׁה  
 סְפָרֵי הַדְּקוּק, הוֹצֵאת נוֹט, ע' 82: וְדַע כִּי חֵל כֹּאִים שְׁתֵּי מִלּוֹת בְּמִכְתָּב. ע"ג אֲשֶׁכּוֹל הַכּוֹפֵר  
 לַיהוּדָה הַדָּסִי, ע"י, ע"א (שִׁכְטֵר).  
 36 הָאוֹתוּתִיּוֹת שֶׁל הַמִּלִּים אַחֲרֵי, בַּעֲדוֹת" הֵן מְטוּשְׁטוֹת. אֲבֵל אֲפֶשֶׁר לְהַכִּיר אֶת הָאוֹתוּתִיּוֹת שֶׁל  
 וְחֻקִּים". פּוֹרְגֶס מְצִיעַ: וּבִמְשַׁפְּטִים וְחֻקִּים.  
 37 תַּהֲלִים ק"ל, ב'.  
 38 יִרְמִיָּהוּ י"ח, ט"ו.  
 39 יִחְזָקָל כ"א, ל"ב.

## א. קטע שכטר

(חרזי' הדי)

חשוב אם יש אתך, ואל תמהמה בתמהה:  
 נקטה נפשם עזבו עליהם<sup>1</sup> שיחם, לתהו והבל כלו כוחם<sup>2</sup>, פני להבים פניהם<sup>3</sup>  
 כי הורד לארץ נצחם<sup>4</sup>, ועינם מכעס כהה:  
 סבו אל טרחה ואזלה, ואל דרגה ומארכה וישמרי וסגולה<sup>5</sup>, עזרה בצרות אולי  
 תשאלו כי יד מכם אזלה, אל ארץ עיפתה<sup>6</sup> תלוהה<sup>7</sup>:  
 עוגבי הטעמים ופורטים בשיר<sup>8</sup> כעל יין, ישברו קולם כאחי חובל קין<sup>9</sup>, כדויד  
 חשבו להם חכמה ולב אין<sup>10</sup>, ולא יוסיפו לגבהה<sup>11</sup>:  
 פערי פיהם<sup>12</sup> ובלשונם חוכים<sup>13</sup>, יבש כחרש כוחם<sup>14</sup> בקמצה מאריכים, ויהי לאבל  
 כנורם ועוגבם לקול בוכים<sup>15</sup>, נהי נהיה נהה<sup>16</sup>:  
 צבא יצבאו כלם על הפתרון, יחוגו וינועו כמלאי שכרון, זה אומר בכה וזה אומר  
 בכה עד הבתרון<sup>17</sup>, והגרול דבר הות נפשו<sup>18</sup> ואין יתרון, ובם לא כהה<sup>19</sup>:  
 קנצי מלין<sup>20</sup> ושכל מעט אם ישאלו, אין כח להם להשיב כי אם ישלון<sup>21</sup>, בחקים  
 ומשפטים נוקשו ונכשלו, ואזעק ואומר אהה<sup>22</sup>:

1 בכה"י: עליה. התקון עפ"י פורנס. עיין איוב י', א'.

2 בכה"י: כלה. התקון עפ"י סלינסון. עיין ישעיהו מ"ט, ד'.

3 ישעיהו י"ג, ח'.

4 שם, ס"ג, ו'.

5 עיין על הטעמים בספרו של א. צ. אידלסון, תולדות הנגינה העברית, 102. פורנס תקן  
 'ישמרי' ל. צינורי', אחד משנים עשר הטעמים שבדקדוקי הטעמים' לאהרן בן אשר.

6 איוב י', כ"ב.

7 בינוני פעול מדומה מן תלה, בראשית מ"ז, י"ג (באכר). פורנס מציע לתקן: ובלהה.  
 י. זנה – הייתי מציע להפירד המלה לשטים: תל והה, עפ"י דברים י"ג, י"ז: והיתה תל עולם  
 לא תבנה, ואעפ"י שהמחבר משתמש אח"כ בחרוז. הה' (ש' 15), דרכו בכך להשתמש פעמים  
 באותה מלת החרוז בשער אחד. דוגמה לדבר, גבהה' בשער שלנו (ש' 7, 17).

8 עיין בהקדמה העברית של סעדיה גאון לאגרון שלו, הרכבי, זכרון לראשונים ה', ע' נ"ח.

9 זהו יובל, בראשית ד', כ"א (שכטר).

10 עמוס ו', ה': משלי י"ז, ט"ז.

11 צפניה ג', י"א.

12 איוב כ"ט, כ"ג.

13 חוכים – מונמנים.

14 תהלים כ"ב, ט"ז.

15 איוב ל', ל"א.

16 מיכה ב', ד'.

17 עד הבתרון – עד האחרון שבהם (כהנא).

18 מיכה ז', ג'.

19 שמואל א' ג', י"ג.

20 איוב י"ח, ב'.

21 דברי הימים ב' כ"ט, י"א.

22 יחזקאל ט', ח'.

וחמשים יום של המבול ואת ה"ממחרת החודש השני".<sup>44</sup> עפ"י הצורה החיצונית הקטע עושה רושם כאלו הוא חלק של השער האחרון של אוסף השאלות שלנו, של השער שכל בית שלו נגמר בהברה ת.ה. למרות שלא רצינו לקבוע מסמרים בשאלה זו הכנסנו את הקטע אל תוך מחקרנו וצרפנו אותו אל האוסף.

<sup>44</sup> עיין להלן שאלה ק"ג.



מחוץ לגדר תפקידי. אולם בכרי להקל על הקורא לעקוב אחרי המקור אשר ממנו נובעות השאלות עלינו להדפיס מחדש את כל האוסף. אנחנו מדפיסים אותו עפ"י צלום של כה"י שקבלנו מאת הספריה בקמברידג'. ועפ"י התיקונים של כל אלה החכמים שטפלו במקור זה עד היום.<sup>40</sup>

נוסף על זה צרפנו אל האוסף קטע אחר מן הגניזה שהוא לפי דעת אחד החוקרים חלק של האוסף שלנו. בגנזי שכטר ח"ב<sup>41</sup> פרסם ר"ל גינצבורג קטע מכתבי הגניזה כתוב בחרוזים עם סוגר בצורת האוסף שלנו. המחבר של הקטע הזה מתקיף את הקראים על זה שהם מחמירים בדיני טומאה וטהרה בזמן זה ועל זה שהם קובעים את חג השבועות תמיד ביום הראשון כצדוקים. עפ"י גינצבורג מחבר הקטע הזה היה אחד מתלמידיו של החכם הקראי בנימין נאהוני שהקל בדיני טומאה וטהרה והסכים לדעת הקראים בבאור ממחרת השבת. עפ"י גינצבורג אין הקטע הזה יכול להיות פרי ידורי רבני מפני שהשקפתו על הלוח מתנגדת להשקפת התלמוד. דעת בעל הקטע היא שכל חרשי השנה הם של שלשים יום. המחבר כותב: רצה ודרש בכל הספרים אנא תמצא חדשים משלשים יום חסרים המבול ומעשה דוד ויהונתן מבררים, ז"א ספור המבול בתורה שעפ"י עברו מאה וחמשים יום משבעה עשר יום לחודש השני עד שבעה עשר יום לחודש השביעי (בראשית ז, יא-ח, ג-ד) מוכיח שהחודש של התורה הוא של שלשים יום. כמו כן אפשר ללמוד את זה מן ויהי ממחרת החדש השני הכתוב אצל דוד ויהונתן (שא כ, כז) שהחודש הוא של שלשים יום מפני שהיו אז שני ימים ראש חודש.<sup>42</sup> יעקב מאנן חולק על גינצבורג.<sup>43</sup> דעתו היא שהקטע הוא חלק של אוסף השאלות שלנו. מאנן מציע לחקן במקום: אנא תמצא – הנה תמצא. עפ"י כוונת השאלה היא: הנה אתה מוצא בכל הספרים שלפעמים החודש חסר משלשים יום ואיך תבאר את המאה

40 עיין שכטר, רבועון אנגלי, סדרה ישנה, כרך י"ג, 345 וא'; באכר, שם, ע' 741; כרך ט"ו, ע' 83; פוננסקי, כרך י"ג, 748; Zeitschrift für Hebraeische Bibliographie, X, 68; כרך מ"ו, ע' 99 וא'; דוד כהנא, הגורן, ספר הגורן, ספר שביעי, 134 וא'; מ. סלינסון, R.E.J., כרך מ"ו, ע' 99 וא'; דוד כהנא, הגורן, ספר חמישי, ע' 1 וא'; נ. פורנס, רבועון אנגלי, כרך י"ד, 133; כרך כ', 198 (שם גם בקורת על דוד כהנא); יעקב מאנן, היהודים במצרים ובא"י (אנגלית), ח"א, 275 וא'; טכסטס ומחקרים ח"ב, 59 וא'; 119; ש. ח. קוק, ספר הזכרון לכבודו של א. ו. רבנוביץ, 78 וא'; א. מרמורשטין בספר היובל לזכרון פוננסקי, חלק עברי, ע' 138 וא'; ש. אסף, קרית ספר, שנה חמישית, ע' 46 וא'; בנימין קלאר, תרביץ, שנה י"ד, ע' 165; שנה ט"ו, ע' 56 וא'; ב. מ. לוי, ספר רב סעדיה נאון, תפ"ה.

41 ע' 491 וא'.

42 הקראים אשר החזיקו בקדוש החדש עפ"י ראיית הלבנה ולא הודו באפשריות של שני ימים ראש חדש בארו, ממחרת החדש השני ממחרת של החדש השני. הם סמכו את השני אל החדש והרבנים להיפך סמכו את השני אל ממחרת. עיין מלחמות השם לשלמן בן ירוחם, שער ט', ע' 78. דעת הקראי בנימין נאהוני היתה בשאלה זו דומה לזו של הרבנים. עיין לקוטי קדמוניות, ח"ב להרכבי, ע' 177. ע"ז בכתאב אלאנואר ואלמראקב לקרקסאני, ספר א' פרק ו' (הוצאת נימור, ע' 41) הכותב שהצדוקים למדו מספור המבול בתורה שהחודש הוא של שלשים יום. עיין גנזי שכטר ח"ב, 486.

43 טכסטס ומחקרים, ח"ב, 60.

של המחבר יש לקבל את השערתם של פורגס ומאנן שהוא היה יהודי רבני, ושחיבר את האוסף שלנו כספר פולמוס נגד הקראים והנקרנים. המחבר היה חכם ידוע שחיבר כבר לפני זה שלשה ספרים שהיו ידועים בישראל.<sup>32</sup> מנמת הספר היתה איפוא אותה המגמה אשר היתה לסעדיה בספרו „אשא משלי“ והיא וכוה עם בעלי המקרא ועם הקראים שהתפארו בידעיותיהם במקרא שטענו, נדע המקרא בכל פעלים לא יותר דבר מראש עד ישרלים . . . מצאנו חכמה פלילה כי לנו המקרא נחלה.“<sup>33</sup> המחבר ערך לפני הקראים „חכמים בעיניהם ונבונים לנגד פניהם“<sup>34</sup> שורה של שאלות ודרש מהם שיענו עליהן בלי עזרת הספרות התלמודית והמרדשית. דעת המחבר היתה ש„קצרה היר ולאח לחוות חכמת המקרא פליאה“<sup>35</sup> בלי עזרת התורה שבעל פה. המחבר מתגרה בקראים ודרש מהם „שאלותי תבררו מן המכתב“<sup>36</sup> ושואל אותם „קשר ציצית צוה לעשותם . . . איך נכין הציצית והתכלת בסדרותם“<sup>37</sup> כמו שסעדיה התגרה בהם ב„אשא משלי“ ושאל „ראו נראה עתה ונחקורה אם פענוח כל המצות כתוב במקרא או נדע כי אין משנה . . . אורך הסוכה אמות כמה ורחבה כמה באמה . . . ברור המעשר אחד מעשרה אבל התרומה מכמה נמסרה . . . כל אלה וכמוהם רבים אשאל לכל קורא כתובים היש בס פירוש אחת מהנה, לולי המשנה והתלמוד אשר כל זה בס למוד וכהנה וכהנה.“<sup>38</sup>

וכוחי פולמוס בין היהודים הרבנים ובין הנקרנים היו תופעה רגילה בתקופת הגאונים. היהודים הרבנים התנגדו למונופולין על המקרא שלקחו להם חכמי המסורה והנקוד. כפי שאפשר לראות מן השאלה הבאה הנמצאת בכ"י עתיק של המסורה הגדולה: „שאל שאלתי אתכם בעלי המקרא כי המלמד הגדול ר' אהרן בן משה זכרו לברכה שהוא אמן גדול בתקון סופרים . . . למה נקד בן אשר זה באות אחת . . . אם יש אצלכם אחינו בעלי לשון המקרא תשובה השיבונו כי המקרא היא מלאכתכם וחכמתכם ואתם תאמרו אנחנו מהירים ורגילים בשפת קודש . . . ואם אין לכם [תשובה] . . . איך תקראו נפשכם בעלי המקרא ומלמדים ומורים כי אתם לא תדעו עלילות הנקוד והטעמים ולא חילוף עשרים וארבעה ספרים“<sup>39</sup>. גם מחבר אוסף השאלות שלנו רצה להראות לחכמי הקראים ולנקרנים שלשוא הם מתפארים בידעיותיהם הבלשניות והוא ערך לפנייהם שורה של שאלות בביאור מלים בודדות וברקדוק השפה העברית.

מטרתי במחקר הבא זיא לבדוק את השאלות שבאוסף ולעקוב אחרי שרשיהן. המסגרת והצורה הספרותית וכל השאלות הכרוכות בהן זקוקות לטיפול מיוחד והוא

32 עשיתי גדולים ונפלאים ספרים והנם בישראל בגלוי ולא במסתרים. עיין להלן ע' נ"ב.

33 להלן ע' ל"ח וע' נ"א.

34 להלן ע' מ"ו.

35 שם.

36 שם.

37 להלן ע' מ"ד.

38 ספר רב סעדיה גאון, ע' תקכ"ה וא'.

39 A. Neubauer, Aus der Petersburger Bibliothek, 104

השנה אחרת והיא שבעל האוסף כותב שהוא בא מארץ תובל וארץ מצרים ארץ מולדתו של סעדיה מעולם לא נקראה ארץ תובל.<sup>27</sup>

יעקב מאנן משער שמחבר האוסף השאלות שלנו היה החכם עלי בן ישראל אלוף שחי בירושלים בחצי השני של המאה ה'א' ושהיה יליד פרס המזרחית.<sup>28</sup> אבל קשה להסכים להשערת מאנן מפני שכפי שראינו לעיל השם הראשון של המחבר היה בן ארבע אותיות וגם **שם** אביו היה כפי הנראה בן ארבע אותיות מה שאיננו מתאים לשם עלי בן ישראל.

יתכן שאפשר למצוא רמז לשם הגאון בן זמנו של בעל האוסף שלנו בחרוז אחד של ספרו. זה לשון בעל האוסף במנותו את שבחי הגאון בן זמנו: ראם קרניו בהם יגנח לצים.<sup>29</sup> המשפט הזה הוא מברכת משה<sup>30</sup> ונאמר על יוסף. יתכן ע"כ שבעל האוסף מרמז לגאון ששמו היה יוסף. בין גאוני ירושלים אנחנו מוצאים גאון בשם יוסף בחצי השני של המאה העשירית אבל אין אנחנו מוצאים גאון בשם יוסף בין גאוני א"י במאה ה'א'. יוסף בן שלמה הכהן שחי באמצע המאה ה'א' בירושלים היה רק אב בית דין ולא גאון.<sup>31</sup> למרות שא"א לתת תשובה ברורה על שמו וזמנו

הזה נבע מתוך פולמוס נגד השומרונים, אבל לא נתקבל. כל התרגומים העתיקים וכל המפרשים של ימי הביניים בארו, מכאן השמש ע"י הפשט ולא קבלו את באורו של ר' יהודה. עיין A. Geiger, *Urschrift*, 81.

<sup>27</sup> בתקופת התלמוד זיהו את תובל (בראשית י', ב') עם ויתניה באסיה הקטנה. עיין ירושלמי מגלה, פרק א', הלכה ט'; ע"ג במנחת יהודה לטעאדאר, בראשית רבא י', ב'; ע"ג בהערותיו של א. שליט לתרגומו של קדמוניות היהודים ליוסיפוס, כ"ה, הערות: 107-109. בתקופת הגאונים זיהו את תובל עם חבל ארץ בפרס המזרחית. סעדיה גאון (בתרגומו לבראשית י', ב'; יחזקאל ל"ח, ב') זיהה את תובל עם סין (אלצין). המפרש הקראי יעקב בן ראובן מן המאה ה'י"ב בפירושו ליחזקאל ל"ח, ב' מבאר, משך כורוסניים ותובל היא סקלבוניה מ"א ארץ הסלבים. באורו של יעקב בן ראובן הוא רק קצור מפירושו הערבי של יפה בן עלי מן המאה העשירית. עיין S. Poznanski, *The Karaite Literary Opponents of Saadia*, Gaon, J.Q.R. (O. S.), XX, 74. כדאי לציין שבנוגע למשך מתאים זהווי של סעדיה גאון (כורוסאן) לזיהווי של יעקב בן ראובן. בעל ספר יוסיפון, דפוס מנטובה, הוצאת גינצבורג-כהנא (ברדיטשוב, תרנ"ו-תרע"ג), מזהה את תובל עם טוסקנה שבאיטליה. עפ"י אבן עזרא (תהלים ק"ב, ה') והרד"ק (ספר השרשים, ערך משך), בעל ספר יוסיפון זיהה את, תובל' עם שיבשני. המלה הזאת היא כפי הנראה משובשת ויש לקבל את החקון המצע ע"י ק. טריבר (Konrad Trierer, *Zur Kritik des Gorionides. Aus den Nachrichten der K. Gesellschaft der Wissenschaften zu Göttingen. Philologisch-Historische Klasse* (1893), 400 f.) ולקרוא אותה שבינא, שם עיר הבירה של שבט איטלקי על גבול רומא. היכן ע"כ שבעל האוסף היה יהודי איטלקי אשר עלה לא"י? על הקשרים שבין איטליה וא"י במאות העשירית האחת עשרה עיין בספרו של משה שולוואס, רומא וירושלים, ע' 4 וא'.

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להלן ע' נ"א. 29

דברים ל"ג, י"ז. 30

<sup>31</sup> עפ"י פורנס האוסף הוא מזמנו של יוסף בן שמואל המכונה גאון ב, מגלת אביתר' ואשר מת בשנת 1053. עיין רבועון אנגלי (סדרה ישנה) כרך כ', ע' 198. אבל מאנן חולק עליו. מאנן הוכיח שיוסף זה היה רק אב בית דין ולא גאון. עיין מאנן, היהודים במצרים, ח"א, 66, ח"ב, 62.

שלנו.<sup>19</sup> נוסף על זה הרבה(?) שאלות הנמצאות בתשובותיו של סעדיה על שאלות חייו הבלתי נמצאות **ב** באוסף שלנו, ואין פלא איפוא **א** ההשערה שסעדיה הוא המחבר של האוסף שלנו נתקבלה מאחרים מטובי חוקרינו.

חוקר הקראים הידוע יעקב מאנן הקריש לאוסף השאלות שלנו הרבה מקום במחקריו השונים. הוא תמך בהשקפת פורגס ובראיות נוספות הוכיח שמחבר האוסף שלנו היה יהודי רבני שחי אחרי סעדיה במאה ה"א בא"י ושכונתו היתה פולמוס נגד הקראים ונגד הנקדנים שנגררו אחריהם.<sup>20</sup> מאנן מתנגד לסברה שסעדיה הוא המחבר של האוסף שלנו. השגותיו הן: א. בעל האוסף כותב, "נער בן שמונה עשרה יצאתי ממגורי מארץ תובל מבית הורי ועזבתי כל יגיע אבי כל יקרי והלכתי נכח מבוא השמש למורי חכמת המקרא לדרשה"<sup>21</sup> וכידוע סעדיה עזב את ארץ מולדתו כאשר היה בן ל"ג שנה וזה היה בשנת ר' תרע"ה. ב. בעל האוסף כותב שהוא הלך נכח מבוא השמש ז"א ממזרח למערב וסעדיה נדר בכיוון ממערב למזרח, ממזרים לא"י. ג. נוסף על זה בעל האוסף מדבר בהערצה גדולה על גאוני א"י וסעדיה כידוע נלחם במרירות עזה נגד גאוני א"י, בעיקר בתקופת המלחמה שלו עם בן מאיר. אמנם לא כל הפיכות של מאנן צודקות. יש לקבל את הרעה שסעדיה עזב את מצרים פעמים.<sup>22</sup> פעם אחת כאשר היה עוד צעיר לימים, בן שמונה עשרה עד כי אמרו לו חבריו, כי נער אתה לא תדע צאת ובוא" כאשר נזכר ביומנו<sup>23</sup> ובפעם השניה כאשר היה בן ל"ג בשנת ר' תרע"ה. באותן השנים סעדיה דיבר בהערצה על גאוני א"י. מלחמתו עם בן מאיר לא התחילה עד שנת ר' תרפ"א.<sup>24</sup> עד אותו הזמן סעדיה היה מלא רגש של כבוד והערצה כלפי גאוני א"י, כלפי חבורת הצדק הקרושה בירושלים. יתכן ע"כ שסעדיה כתב את אוסף השאלות בימי מגוריו בטבריה כאשר היה תלמידו של אבו כתיר יחי' בן זכריה. באותו הזמן שכתב את, "אשא משלי".<sup>25</sup> אבל על ההשגה העיקרית של מאנן והיא שבעל האוסף כותב שהוא הלך נכח מבוא השמש ז"א בכיוון ממזרח למערב ודרך נדודיו של סעדיה היתה מן המערב למזרח אין לע"ע תשובה.<sup>26</sup> על ההשגה הזאת יש עוד להוסיף

<sup>19</sup> סעדיה גאון וגם בעל האוסף משתמשים בפעל, "טפסר" במובן של הרבה. שניהם משתמשים בבטוי, "חבורת הצדק הקדושה" לגאון ובית דינו בירושלים. עיין ספר רב סעדיה גאון, תפ"ד וא', תצ"ה, תק"ו. ע"ג תרביץ, שנה י"ד, ע' 165; שנה ט"ו, ע' 46 וא'.

<sup>20</sup> Jacob Mann, *The Jews in Egypt and in Palestine under the Fatimid caliphs etc.*, I, 275 ff.; idem, *Texts and Studies*, II, 59 f., 98  
<sup>21</sup> להלן ע' נ"ב.

<sup>22</sup> עיין שמחוני בהתקופה, כרך כ"ב, ע' 497; H. Malter, *Saadia Gaon, his life and works*, 425, י. ל. פישמאן בספר רב סעדיה גאון, ע' כ"ו.

<sup>23</sup> S. Schechter, *Saadyah. Geniza Fragments of writings of R. Saadya Gaon and others*, 134

<sup>24</sup> ה. מלטר בספר הנ"ל, 69 וא'.

<sup>25</sup> ספר רב סעדיה גאון, ע' תצ"ו. ע"ג מלטר כנ"ל, ע' 31 וא'.

<sup>26</sup> לנכח מבוא השמש יש רק מובן אחד והוא לקראת המערב. אמנם ר' יהודה באר מבוא השמש (דברים י"א, ל') מקום שהחמה זורחת וספרי דברים נ"ו; סוטה ל"ג, ע"ב). הבאור



כגון ספר התשובות שלו על שאלות של חייו הבלכי הידוע<sup>4</sup> ושירו „אשא משלי“ שבו הוא מתקיף את בעלי המסורה והקראים.<sup>5</sup> הגאונים התאמצו להראות לבעלי המסורה ולנקדנים אשר התמחו בחקר גוף המקרא, בתנועות ובטעמים, ובעיקר לקראים שהתנאו בידיעת המקרא – שידיעת הלשון העברית וידיעת אותיות התורה ופשטה אינן מספיקות להבנת המצוות ואף לא למשמעות המקרא. הם השתדלו להוכיח שאי אפשר להבין אפילו את הפשט של התורה שבכתב אלא בעזרתה של התורה שבעל פה. ספרי התנ"ך מלאים סתירות וקשיים שאפשר ליישב אותם אך ורק על ידי התשובות הנמצאות בספרות התלמודית. חכמי הרבנים ערכו רשימות של שאלות וסתירות כאלו ודרשו מאת מתנגדיהם ליישב אותן עפ"י הפשט. מאוספי שאלות מקראיות מתקופת הגאונים רק אחד ידוע לנו שהוא ממוצא אפיקורסי, והוא אוסף מאתם השאלות של חייו הבלכי שסעדיה השיב עליהן. האחרים הם כנראה ממוצא רבני. בשנת 1899 פרסם ש. א. ווערטהיימער שתי רשימות של שאלות תנכיות. הראשונה מכילה שאלות אשר שואל אחד שלח אל גאון בכרי שידע מה לענות לאפיקורסים שהטרידו אותו בהן.<sup>6</sup> השניה מונה עשרים ושנים סתירות כרונולוגיות בתנ"ך.<sup>7</sup>

בשנת 1901 פרסם רש"י שכטר ברבועון האנגלי קטע מספר קדמון מכתבי הגניזה בקאירה הכתוב בחרוזים ותכנו אוסף של שאלות על התנ"ך.<sup>8</sup> מתוך מבנה החרוזים ניכר כי הספר כולו היה מורכב מעשרים ושנים שערים כמנין אותיות הא"ב כתובים בסרוגין של א"ב ותשר"ק. כל שער הוא לרוב בן עשרים ושלושה בתים: עשרים ושנים כמנין אותיות הא"ב ואחד מעין סוגר לכל הבתים שבאותו שער. סדר הבתים שבכל שער מיוסד על סדר אותיות הא"ב שבו מתחיל כל בית. לפעמים אות אחת כפולה ומספר הבתים שבשער הוא יותר משלושה ועשרים ולפעמים אות אחת חסרה ומספר הבתים הוא פחות.<sup>9</sup> כל הסוגרים שבשער אחד חוץ מן האחרון מתאימים זה לזה. הסוגר של השער הראשון נגמר בהברה אה, של השער השני בהברה בה, של השלישי בהברה גה, וכן הלאה. האות הראשונה של הבית האחרון שבכל שער שמשו למחבר אקרוסטיכון בכדי לרמוז בו את שמו. הספר החזיק לכל הפחות 506 בתים:  $22 \times 23 = 506$ . אבל החלק שנרפס

<sup>4</sup> עיין Israel Davidson, Saadia's Polemic against Hiwi al-Balkhi, New York, 1915; J. Rosenthal, Hiwi al-Balkhi, a comparative study, Jewish Quarterly Review (N. S.), XXXVIII, 317 ff., 419 ff. XXXIX, 79 ff.

<sup>5</sup> עיין, אשא משלי לרב סעדיה גאון בספר „רב סעדיה גאון, קובץ תורני-מדעי“, הוצאת מוסד הרב קוק, ירושלים, תש"ג, תפ"א וא'.

■ עיין במאמרי הנ"ל.

<sup>7</sup> ספר קהלת שלמה מאת ש. א. ווערטהיימער, ירושלים, תרנ"ט, ע' ס"ט.

<sup>8</sup> S. Schechter, The Oldest Collection of Bible Difficulties, by a Jew, Jewish Quarterly Review (O. S.), XIII, 345 ff. עיין בהערותיהם של זאב באכר ושל פוננסקי בסוף הכרך אשר עמדו על טעותו של שכטר בסדר הדפים של כה"י.

<sup>9</sup> בשער זה נכפלו האותיות מ ו ח; בשער עה נכפלה האות י; בשער כה חסרה האות צ. הופעה דומה אנחנו מוצאים ב„אשא משלי“. עיין „אשא משלי“, שער ז.ה.



# שאלות עתיקות בתנ"ך\*

לפרופסור אלכסנדר מארכס  
בהערצה

מאת

ד"ר יהודה רוזנטאל

מדרשה ללמודי היהדות, שיקאגו

מבוא

התסיסה הרוחנית בתקופת הגאונים, מלחמת הקראים בתורה שבעל פה והתקפות המינים השונים על התנ"ך עוררו התענינות בתנ"ך בין היהודים הרבנים. הפרושים ואחריהם התנאים והאמוראים התאמצו להשריש בקרב העם את האמונה שהתורה שבעל פה שוה בערכה לתורה שבכתב, ששתיהן נתנו למשה מסיני ולכן העדיפו את למוד התורה שבעל פה על למוד התורה שבכתב.<sup>1</sup> בעיקר הונח למוד המקרא בתקופת הגאונים. הגאון נטרנאי השני מבאר את המצב הירוד של למוד המקרא בזמנו בנימוקים כלכליים, ואלה דבריו: „וכיון שרבתה עניות ודלות והוצרכו תלמידים להתפרנס ממעשי ידיהם ולא היו יכולים לעסוק בתורה תמיד... נסמכו על התלמוד בלבד ועזבו מקרא משנה”.<sup>2</sup> עם התגברות התנועה הקראית נשקפה סכנה ליהדות המסורתית והיא הכריחה את חכמי ישראל לעסוק גם במקרא. היהודי הרבני של אותה התקופה הוכרח להודיין בידיעת התנ"ך ולהצטייד בתשובות מוכנות על השאלות והטענות של המינים השונים בכרי שידע מה לענות להם. בתקופת הגאונים נתחברו רשימות השונות של „כתובים המכחישים זה את זה” עם התשובות בצדיהן. הגאונים חברו רשימות אלה בכרי שתהייה מוכנות בידי כל אחד.<sup>3</sup>

הגניזה בקאירה של מצרים הביאה לאור קטעים אחרים מתקופת הגאונים המכילים שאלות תנכיות. הכתבים האלה נכתבו בחרוזים ומציעים שאלות במקרא בצורה חרשה. גם סעדיה גאון חיבר בצורת חרוזים דומה תשובות למינים וקראים

\* בזה אני מביע את תודתי העמוקה לד"ר ישעיה זנה על העזרה המרובה שקבלתי ממנו בהכנת מאמרי זה לרפוס.

1 עיין ירושלמי שבת, פרק ט"ו, הלכה א': ת"ר העוסק במקרא מדה שאינה מדה... בתלמוד אין לך מדה גדולה מזו.

2 תשובות הגאונים, ליק, 1864, ע' 29 (צ). על היחס של בוז ושנאה למלמד התינוקות בתקופת הגאונים ועל סבותיו, ראה ש. ליברמאן, מדרשי תימן, 28; גנוי קדם, ח"ו, ע' 14.

3 עיין יעקב מאן, "Some Midrashic Genizah Fragments", Hebrew Union College Annual כרך י"ד (1939), ע' 339 וא'.

אני נזר בכח התורה שלא יוכלו לבטל הצואה הנז' ע"כ התנאים הנז' לא בכלה ולא במקצתה וכל המשנה מכל הכתוב לעיל בין יחיד בין רבים או הנזרם לבטל צואה זו נחש כרוך על עקיבו ואנו נקיים

דוד גרשון ס"ט.

ע"ג הכתב: שטרא דנא מאת הגביר מחזיק ביד לומרי התורה כמהר"ר אברהם בן נתן תנצב"ה, שטרא דנא אשר פעל ועשה פעולת צדיק לפעלא טבא אמרי יישר.

שאקבע במקום שיכשר בעיני כפי מה שאסדר זולת שברבות הטובה לרב ירבו ולמעט ימעיטו כפי חשבון, ואם ח'ז לא חבא מחשבתי לפועל שיבקש בעל הפקדון את פקדונו<sup>88</sup> הם ישתדלו בכל עז להביא הדבר לידי גמר טוב ויקבעו ההסגר הנ' בעה"ק ירושלים תוב"ב ע"פ התנאים שכתוב בשטר פרטי בענין הנהגת ההסגור[ת]... לשלוח את השטר הפרטי של ההסגר כדי שיחתמו עליו הת"ח אשר יתבררו להסגר וגם שיחתמו בו פרנסי ומנהיגי ורבני העיר החותמים באגרות העיר. ואם לא ירצו תושבי ירושלים וחכמיה לקיים התנאים כלם של ההסגר ככתוב שם הרשות ביד המורשים לקבוע אותו במקום היותר נאות מהנ' ארצות של א"י והמורשים הנ' יבררו ט"ו ת"ח שישבו בהסגר הבכור כבכורתו והצעיר כצעירתו איש איש על עבודתו ועל משאו והם מחוייבים בכל שנה ושנה בעת בא הפירות של המעות הנ' לקרות שטר זה כדי להעלות בזכרונם כל התנאים הנ'. ועוד אמר לנו: אני רוצה שכל ספק שיסופק בלשון שטר זה או ייתור לשון או חוסר לשון יהיה נכון לזכות ויפוי כח ההקדש הנ' באופן שההקדש הנ' לעולם יהיה ירו על העליונה, וקבלו המורשים הנ' בפנינו להתנהג באמנות שמים ודלא להשנאה מכל התנאים הנ' לא בכלם ולא במקצתם וכך אמר לנו הגביר כה"ר אברהם הנ': שטרא דנא כתבוה בשוקא וחתמוה בברא כי היכי דלא תיהוי כמלתא טמירתא, וקנינו מיד הגביר כה"ר אברהם הנ' קנין שלם וגמור מעכשו ובכ"ד חשוב במדל"ב<sup>89</sup> על כל הכתוב עליו לעיל בכל חזוקי סופר ב"ד יב"צ<sup>90</sup> דלא כאסמ[כתא]... ודלא כטופסי רשטרי, מעצמו, מרעתו ומרצונו הטוב והגמור מבלי שום אונס כלל ע"ד הרשב"א ולה"ה. ורא תהי למיקם לעלם וחומר וחזק... שטרא דנא כחומר וכחזק כל שטרי כשטרי שרירי וקיימי דנהיגי בישראל כהוגן וכתקון חז"ל. והיה זה בשליש אמצעי לחדש חשון שנת חמשת אלפים וארבע מאות וחמשים ושש ליצירה פה ר ש י ר, וכתבנו תלתא נסחי.<sup>91</sup>

מורה על כל הכתוב עלי לעיל  
והרי הכל עשוי ומקובל ומרוצה עלי

הצעיר דוד דעואל ס"ט      הצעיר אברהם נתן      יעקב פירו(?)<sup>92</sup>

במותב תלתא כחדא הוינא אין בית דינא דחתומין לתתא. כד הנפק שטרא דנא קרמנא ואשרנוהי וקיימנוהי כרחזי ואחקיים

הצעיר דוד [גרושון] ס"ט.      הצעיר שמואל לחמי      שבתי נאווי ס"ט

<sup>88</sup> השווה מדרש משלי, הוצ' בובר, פרשה ל"א, אות י', דף נ"ד ע"ב.

<sup>89</sup> =במנא דכשר למקניה ביה.

<sup>90</sup> =יכון בצדק.

<sup>91</sup> העתק זה מקורו מארכיון החכם באשי ר' יעקב שאול אלישר מנהלה של ישיבת חסד לאברהם (נע"ש של נתן), ו'א שהוא ההעתק שהיה בידי נתן עצמו ושנשלח לאחר מותו לירושלים.

<sup>92</sup> למעלה (עמ' יד) הובאו דברי חאניז שעל השטר חתומים דוד דעואל ושמואל יעבץ.

בהסגר ויתנו להם פרס מיוחד סך עשרה מ"כ<sup>82</sup> בכל לילה לכל אחד, ואם לא יהיה עדיין ההסגר מיוסד יבררו עשרה ת"ח מהמובחרים שבעיר לעסוק בתורה במקום פטירתי ויתנו להם הפרס דהיינו עשרה מ"כ לכל א' בכל יום משבעת ימי אבלי והם עצמם יעשו הבילאר"ה<sup>83</sup> בכל ליל ע"ש ויתן להם הפרס הנו', וגם יקראו הת"ח הנו' בליל ז' של פסח ובליל שבועות ובליל ער"ה ובליל יוה"כ ובליל הושענא רבא ובליל פטירתי והפרס כנו' לכל אחד בכל לילה מהלילות הנו', וגם יתן להם כל ההוצאות שיצטרכו בכל הלילות הנו' משמן ונרות וכיוצא, וגם יתנו בכל שנה מריוח מעותי סך אלף מ"כ לצורך שיק[בצו] לקרות לילה אחת על מצבת קבורת רחל אמנו תנצב"ה או על קבורת שמואל הנביא<sup>84</sup> תנצב"ה, הת"ח אשר יהיו בהסגר; וגם יתנו למוזנות אמי ת"מ<sup>85</sup> מדי שנה בשנה ולא יעבור מלחת לה סך מאה אריות כל ימי חייה ולאחר פטירתה יתנו ג"כ מאה אריות לצורך קבורתה והמצבה ולכל הדברים שיצטרכו לכבודה; וגם יתנו לנות ביתי ת"מ מאה אריות בכל שנה כל הימים שהיא עומדת לכבודי<sup>86</sup>; וגם יתנו ליורשי סך חמש מאות אריות ובוזה סילקתי אותם מנכסי סלוק גמור מעכשו ואין [להם שום טענה] ותביעה נגדי אם באולי יבא שוב אחד מיורשי לעה"ק ירושלים תוב"ב ויהיה דחוק לפרנסה יש למורשים הנו' רשות לתת לו מר [כוש] [ . . . ] [ש]לשים מ"כ בתורת נדבה מדי שבת בשבתו ולא עוד. ומעתה המורשים הנו' יש להם רשות גמורה ויכולת מספיק [לעשות]<sup>87</sup> -----

ומהפירות יתפרנסו חכמי ההסגר הנו', דהיינו שיתנו המעות בעיר [ליגורנא או] בעיר ביניציאה או בעיר אמשטרדם לר[י]וח[ו]ן[ם] --- יוכלו לתתם כלם בעיר אחת מהג' הנו' יחלקו אותם כפי ראות עיניהם במקומות הנו' אך בתנאי שלא יהיה להם רשות לשל[ו]ן[ם] ? במעות הנו' לא להם ולא לאחרים, לא בכלם ולא במקצתם ולא לשאת ולתת בהם לא בדרך ים ולא בדרך יבשה אלא יהיו בידם מוכנים עד שיצא הדבר לאורה לתת המעות הנו' במקומות הנו' להספקת ההסגר. ואם יגורו ה' בחיים לצאת מחשבתי לפועל ולקבוע ההסגר הנו' בחיים קיומי על נכון, כאשר עם לבבי, הם מחוייבים להתנהג במעות הנו' בהסגר

82 לא ידעתי פירושו.

83 Vilia= בלע"ז, ופי' ליל שימורים.

84 דומני שזהו המקור היחיד שממנו אפשר ללמוד כי בתקופה זו לא מנעו המוסלמים את היהודים מלהכנס לקבר שמואל הנביא. זמן מה לפני כן היה הדבר, כנראה, בנדר איסור שכן בתשובתו של ר' שמואל נארמזאן (משפטי צדק, סי' ע"ד, ק"ו ע"ב) אנו מוצאים שאלה: מי שנדר להסתפר על קברי הצדיקים והגוים מונעים לישראל ליקרב על קברי הצדיקים מיבעיא לו עד כמה יקרב ויצא ידי חובת נדרו? בתשובתו כותב: אי הוה ידע הנדר בשעה שנדר שהגוים מעכבים ליקרב שם וההולכים שם לזיאר משתחווים מרחוק ודאי תל הנדר ויעשה כמנהג ויקרב עד מקום שיש רשות ליקרב. יש לשער שהדברים מוסבים על קבר שמואל הנביא ונתון החשובה מוכח שבאותו פרקזמן נאסר הדבר וטרם הספיק אפילו להיוודע ברבים.

85 =תבורך מנשים.

86 כלומר: כל זמן שלא תינשא לאיש אחר.

87 כאן, באמצע השטר, יש קרע לאורך הקלף.

## נספח ב\*

## צוואתו הראשונה של אברהם נתן

צוואתו זו של נתן, שעליה רמזתי למעלה, לא היתה בידי בשעת כתיבת המאמר. לשמחתי נעתר לבקשתי הסופר הנכבד מר ש"י עגנון, שבאוספו נמצאת תעודה זו, והרשה לי לפרסמה. תודתי אמורה לו על מדת עין יפה שנהג בי. הצוואה כתובה על קלף בכתב רש"י-ספרדי. גודל הקלף:  $33 \times 21$  ס"מ. הרבה אותיות נמחקו. במקומות שלחץ הסופר בקולמוסו על הקלף נשארו שם רישומי האותיות ויכולתי למלאות את החסר.

בפנינו עדים חותמי מטה, בא הגביר המרום, נכון נא ונעלה, ירא אלקים, כה"ר אברהם נתן דמתקרי אברהם נ' נתן נר"ו, בן המנוח כה"ר חיים נ' נתן נר"ו, בהיותו עומד על בוריו כאחד [מב"א – מבני אדם] [המיושב בדעתו, ואמר לנו: הו' עלי עדים גמורים וקנו ממנו בקנין גמור ושלם מעכשו וכתבו וחתמו בכל לשון של זכות ויפוי כח ותנו ביד החכם השלם כה"ר משה חאגי"ז נר"ו והגביר החכם כה"ר משה דאל"ב<sup>78</sup> נר"ו והגבון ונעלה כה"ר אברהם שונינה נר"ו והיקר ונעלה כה"ר רפאל בונים<sup>79</sup>] נר"ו, איך מחמת שרציתי ברצון נפשי ובהשלמת דעתי אני מקנה להם ארבע אמות קרקע שיש לי ואגבן אני מוכה להם כל נכסים שיש לי ומטלטלין ומעות מדורים בעין וכל מרי דמתקרי נכסי שזיכו בהם לצורך ההקדש שאני מקדיש את כל נכסי הכל כאשר לכל לצורך הספקת בית ועד לחכמים כאשר כתוב ומפורש סדר הנהגתו בשטר פרטי,<sup>80</sup> את הכל הקדשתי הקדש גמור מעכשו אמות על מנת שיהיה רשות בידי כל ימי חיי לשאת ולתת בהם ולאכול ולשתות בכלם או במקצתם ולעשות כל מה שארצה בין בנוף הנכסים בין בפירותיהן בין בקרקעות בין במטלטלין ומה שישאר מהם אחר פטירתי את הכל עד סוף פרוטה אחרונה הוא מוקדש לצורך ההסגר הנ"ל מעכשו אמות על מנת שאם ישאר אחרי זרע של קיימא יתנו להם סך חמשת אלפים אריות מראשית מעותי וב[?] יסתלק כח ירושתם, ועל מנת אמת יזכני השי"ת<sup>81</sup> לעלות לעה"ק ירושלים תוב"ב ולהקבר שם או בע"ק חברון או צפת ת"ב, בכל מקום מא"י [?] מקומות אלו שתהיה פטירתי שיתנו להק"ק מאתיים אריות ושאר דברים המצטרכים לצורכי קבורתי והמצבה כפי כבורי, ואם יהיה ההסגר כבר עשוי יעשו בכל ליל ערב שבת משנת פטירתי מרת יום ולילה לעסוק בתורה כנהוג מהת"ח אשר יהיו קבועים

\* עי' לעיל עמ' יד, הע' 48.

78 א. ריבלין במלואים ל, תולדות חכמי ירושלים, חלק נ', עמ' 37 העתיק בטעות: סאלכה.

79 הנ"ל קורא: נונים, אולם האות ב' ברורה.

80 לא יכולתי לברר אם שטר זה נמצא באוסף עגנון.

81 –השם יתברך.

זה בפרטות וכתבי הרשאה כוללת למחנה תהלתם על כל מין הקדשות וצוואות ועובדות... הן עתה אנחנו ח"מ אשר מקצתנו הח"מ נתגרלנו אנחנו ואבותינו במדרש בית יעקב הנזכר ולנו משפט הבכורה... ומעוטנו הח"מ פנים חדשות באו לכאן... ראינו... משה חאגיז... קודם לכל אדם אעפ"י שיש גדולים ממנו... שהחכם השלם הנו' ממלא מקום אבותיו ביראה ובחסידות... ובכן הסכימה רעתינו, דעת כולם שזה לטובה, להעמיד ממונים ומורשים בעדנו להגביר המרומם... אברהם סוליימה הוא ובניו ה' לפקח ולהשגיח על בית מדרשנו... ולעמוד לימין משה זרוע תפארתנו... ואם יכשר בעיני הגביר הנו' לספח בפקידות ההסגר הנו' להחכם המרומם כמה'ר סעיר ברדע נר"ו בחברת החכם השלם כמה'ר חאגיז הנו' הנה מה טוב". חתומים: שמואל הכהן, משה חיון, חנון נבון, שמשון גומץ פאטו, יאורה הכהן, יאורה פיירו, יצחק אריה, יעקב אריה, חיים משה קאריגאל.

יב. ביתהדין שבאמשטרדם לרבני ליוורנו, שנת תס"ט. תשובה על מכתבם נגד חאגיז: -

לא יכול רוחנו להתאפק שלא לערוך דברינו לפני מעכ"ת, מה עלה על לבם ומה ראו על ככה לכתוב דברים קשים כגידים... לומר שאנו סומכים ומחזיקים ידי מרפסי ספרי מינין, ודא היא תברא, לא כך היא הנוסחא, אלא אנו עומדים בפרץ וסומכין ומחזיקין כל ברוך -- ומעתה נבא לסדר הטענות שטען החכם [וחאגיז] הנו', כי כוונתו היתה רצויה למקום, לבקש התועלת לבית אלהינו ית', אבל בראותו כי מקצת יחידים ממחנה קדשם כתבו עליו שטנה ושלחו רץ מיוחד על זה גם לע"ק ת"ז אשר ע"כ כתבו מ"ש מהתם, ואף זו מן התוכחות שיוכיח בראיות ברורות דמוכרחים היו במעשיהם, ואין כאן מקום להאריך. הם היו גרמא בנוזקין דיגע בעשר אצבעותיו ומאומה אין בידו וזה כמה שנים שהוא חוץ למקומו מקום הקדש, ראין אדם נתפס על צערו, ותשב באיתן קסתו והרבה להשיב אפו ברמזיה זו, ומרוב צרותיו אמר אדברה וירוח לי... ועל דברת הכתב מחכמי ירושלם ת"ז שכתבו כנגדו מר"ח ניסן תנ"ח טען כי מלבד שהבאים על החתום בה לא היו חכמי ומנהיגי העיר... ששלשתן אינם אלא אנשים פשוטים וכו' ועוד הפריזו על המדה להכנס במקום שאפי' רבני ומנהיגי העיר לא היו רשאים להכנס יען הקדש ויגה ונתן וכיצא הוא דבר פרטי דזכו בה הת"ח העומדים על הפקודים, דכל אחר יזכה בחלקו כמו שכל הרבנים המנהיגים הם מורים בפיהם דדינא הכי הוי וההרשאה ששלחו לפקידיו א"י לא היתה כי אם לדברים הנוגעים לכוללות עה"ק ת"ז -- והאידנא נבקשה ממעכ"ת ישימו לבם לפתגמא דנא דאם העלם יעלימו עיניהם ויתרשלו ידיהם מלתקן הדברים ולמתקן בפה כל חי ידעו נאמנה כי זה יבא בנרו חזק יבא בפשתנו וידליקו את הבירה ומרה תהיה באחרונה על חלול ה' ותורתו".



חתומים: חייא אברהם בכמהר"ר אהרן די בוטין זלה"ה יאודה הכהן, משה נ' חביב, אברהם יצחקי, חנון נבון, שמואל הכהן.

אחר אישור ביה"ד של אמשטרדם נמצא קטע זה:

כל הקיומים הללו נעשו בשנת תס"ט, כשבא לידם אותו כתב שכעת הרפסיהו החצופים במודעא רבא דף גע"א, ולקמן תמצא עוד מ"ש בארוכה בכתב י"ב המתחיל: משכן החכמה, ולהיות כי בשנת ת"ס הוכרח זה משה האיש ללכת לרש"ד כדי לחקן מה שקלקלו פריצי הדור, ארורים הם לה' בלשונם הרע והוצאתם דבת הארץ רעה אל הגביר אברהם נתן המקדיש הידוע כתבו ארבעה גבירים מאילי הארץ, ה"ה ה"ר רוד ויזינו וה"ר אברהם פיניא<sup>76</sup> וה"ר יעקב סארמינטו וה"ר דניאל קורדובירו, עדות נאמנה מכל האמת במה שהוא אמת שתמצאנה חקוקה בין טופס כתבי הלעז<sup>77</sup> ואוי כתבו גם כן שני רבני וקני הארץ אחריהם ז"ל.

ט. אנו ח"מ מקיימין ומאשרין כל החתימות הכתובות מעבר לרף בכתב נוצרי מאת גבירי ואלי הארץ הזאת... שבאמת כל מי שמכיר את מעלת זה האיש משה ידידינו כאשר הכרנוהו פה בהיותו מתגורר עמנו זה היום קרוב לחמש שנים וראינו טוב מדותיו ורעותיו ומעלותיו טוב עם אלהים ועם קדושים נאמן... בוראי שלא יאמין עליו את הדברים הזרים אשר ברו מלבם אויביו חנם וצריז מחמת קנאה... וישמח משה במתנת חלקו הן במינוי שנתמנה בהסגר הגביר ויגה והן במינוי שנתמנה לכשיתייסר הסגר הגביר הר"א נתן... ליורנו ת"ס. אני עמנואל בכמהר"ר רוד פראנסיש זלה"ה מעיר ומקים הג"ל.

י. ר' שמואל קושטא לר' רוד גרשון – שנת ת"ס: –

השנאה ששונאים קצת אנשים את ידידינו זה משה... על כי כל אשר הוא עושה ה' מצליח בירו וכי מצא חן בעיני הגביר הר"א נתן ויפקדוהו על ביתו וכל יש לו נתן ביד הסוחר טוב הוא הגביר הר"א סולימה ובניו... גם צריך לאודועי איך מדת הקרקע אשר מכר אדונוי הרוכוס הגדול יר"ה להאנשים הנו' על שם ההקדש של הגביר נתן הנזכר הוא במקום יפה עד מאוד מכל שאר המקומות שקנו רבים מגבירי ואלי הארץ יען הוא נגד רחוב העיר ונוה יפה ורענן טוב למראה ולאכול ממנו פרותיו כשיבנו בו הבתים".

יא. תשובת רבני ירושלים לחכמי ליורנו, שנת תס"ב: –

על דבר אשר שלחו מתם מכת"ר איש מיוחד בכתב מיוחד לרבני ומנהיגי ע"ק ירושלם ת"ו, ושם נאמר להם שיעמידו ממונים ומורשים מאת גבירי מחנה תהלים לפקח ולהשגיח על דבר ההסגר... ויגה... רבני ומנהיגי ע"ק סלקו ידם מעיני

<sup>76</sup> ממספחה ידועה באמשטרדם, אומיר וליורנו. ספר, נגיד ומצוה שנדפס באמשטרדם תע"ב, נדפס, על ידי הבחור יצחק בן הגביר אברהם די לה פיניא יצ"ו. ואולי אחד הם.

<sup>77</sup> בטופס שלפני לא נמצאים המכתבים האלה שנכתבו בכתב לטיני.

עיניו כאלו לא ראה בכתבי האף והחימה שבאו מק"י מחנה קרשם מארבעה חכמים ונבונים המזלזלים בכבוד תורתו אשר לא כרת, כי בקושטא קאמינא זה האיש משה דלי ומרלי ומשקה חיי לאחריו ותמיד ראינוהו מכניס עצמו בעובי הקורה לקרב התועלת הן לכוללות קק"י עה"ק והן לפרטות יחיד סגולה שבה באופן שראינוהו שכוונתו רצויה למלאות חרבות ירושלם... וכבוד האנשים החותמים כנגדו במקומו יהיה מונח כי חששנו להם מחטאת... וימשך ח"ו נזק גדול לכוללות הקק"י".

חתומים: יעקב ישורון לופיס, גרשון טילקי, שמואל קושטה.

ז. ר' שמואל קושטא לר' דוד גרשון, רבה של רשיד – שנת תנ"ח –

על דבר אמת מעסק מצוה זו רבתי היא מהקדש שהקדיש הגביר הר"ר אברהם נתן יצ"ו אשר פה הרבה יגיעות יגע החכם השלם... משה חאגיז נר"ו בכחו ואונו להביא הדבר לידי גמר טוב על ידי עושה המלאכה ה"ה הגביר כהר"א עטי"א ש נר"ו, אשר באמת היה הכל מוכן ועל ידי נגמר הכל עם הכהר"א עטי"א להתחייב בכל מה שהוא שואל כהר"א נתן. אמנם בשעת מעשה אחד מן המורשים רצה לזכות את עצמו ולראות כל כתבי הכהר"א נתן... היו שוות לדברי ההרשאה, ובהיותו מדרקק בכל דברי כתבו ראה שהיה סותר את דבריו אשר כעת לא היה יכולת ביד המורשים לקנות לו בתים בסך אשר שלח משומת ששת אלפים ותשע מאות, כאשר נראה מההרשאה, שצריך לעשות השטרות ולקנות הבתים מכל סך השלשים אלף ואח"כ למסור כל הסך ביד הר"א עטי"א, ושנויים רבים כאלה. הלא גם אחר שאומר כר"א נתן שישלחו השטרות אשר יעשו בלי חתימה כדי שיראה אותם, ופה בשטרות הגוים הוא דבר דלא אפשר לעשות בלא חתימה. לכן אחד המורשים סירב ולא רצה להטפל עצמו בדבר הזה אשר הוא אצלו קרוב להפסד ורחוק לשכר. הן עתה הארון כמלאך ה' צבאות ראה יראה שמצוה רבתי כזאת לא תבטל בשביל יחיד, ובפרט שהעיקוב לא בא לא מצד הר"א עטי"א ולא מצד שאר המורשים כי אם מסיבת הר"א נתן והיחיד הנז'. ופה נראה לנו כי לא בערמה עשה את הדבר הזה הר"א נתן כי אם דוקא מחסרון ידיעת מנהג מקומות הללו. ולכן הסכמנו שהחכם הנז' יתעכב פה עד אשר יבא דברו הטוב של המקדיש. ועם מעכ"ת עצה ותושיה להשתדל עם המקדיש...

ח. חכמי ירושלים לרבני ליורנו – שנת ת"ס. כנראה תשובה על מכתב ו': –

לא טובה השמועה אשר שמענו כי אנשים רקים ופוחזים בני בלי שם הרהיבו פיהם... לדבר תועה על... כמהר"ר משה חאגיז נר"ו... ומה מאד תמהנו איך נהיה הדבר הרע הזה... כי זה האיש משה נזר אלהיו על ראשו... מזרע האב חרע האם רבנן תקיפי וחסידים אשר מתורתם אנו חיים והוראתם היוצאת לארבע רוחות העולם... וגם כי הוא פקיע ומומחה שלם בכל... מי הוא זה ואיזה הוא אשר יקרב הלום לקראת נשק ואיננו אוכל... וכל הפוסל פסול וראויים הם לנזיפה עד רכה לחרפה ודראון עולם. לכן באנו לחלות פניהם על הדין צורבא מרבנן דשפיר שומעניה וכל מום לא היה בו מיום הולדו... ישינחו עליו בעין יפה לכבדו ביתר שאת ויתר עז כי ראוי והגון הוא לכל כבוד שבעולם...

היה משקה מימיו נאמנים לכל באי עולם והשקה את כל פני האדמה. ונא... לחלות פני הגביר ונעלה כהר' יעקב אלזריש נר'ו חתנו של המלאך רפאל בעל ההסגר הנ' להחזירו לקדמותו.

חתומים: ישראל רומאנו, דוד חיים בית הלחמי, אברהם הלוי, משה גבריאלי.

ד. חכמי רשיד לרבני ליורנו הנ"ל – שנת תנ"ו. „נתפרשו שמותם נשל רבני ליורנו [להיות שמנה אותם הרב כמה"ר חזקיה די סילוה למורשים בכח הרשאתו להוציא משפט ההסגר הקדוש אשר היה בעה"ק ירושלם תוב"ב].

על דברת החכם השלם (אוריין ובר אוריין ובר אבהן מוכתר בכתר שם טוב שלשלת יוחסין) כמה"ר משה חאגיז נר'ו בן... כמהור"ר יעקב חאגיז זלה"ה אשר נודע שמו בשערים כי הפליא והגדיל תושיה בבית המדרש הקדוש אשר תקן ויסד הגבר המלאך רפאל ויגה ואחיו זלה"ה... והרב הנזכר כל ימיו השתדל בכל כחו להרביץ תורה בישראל וה' עמו שהלכה כמותו בכל מקום, כי משם יצתה הוראה לישראל... ואחרי מות משה [נאלנטי] עבד ה' נחרב [ההסגר] עד היסוד... ונחתם הבית המדרש נסגרו דלתותיו, ועם כל הכתבים שכתבו מתם לחתן הגביר ויגה ולמורשים תשובה אין להביא... ויהי היום הוכרח כמה"ר חאגיז הנ' לצאת ממחיצתו... מחמת הצרה הזאת... והן מחמת כי נפטרה נות ביתו<sup>72</sup>... והן מחמת כי היה לרבנית המעטירה היא אמו ת"ס דררא רממונא... וכאשר בא משה לקראת האיש הלזה וימצא אותו שבור<sup>73</sup> גמר בדעתו לכתת רגליו למחנה קדשם... לראות איך יפול דבר ההסגר הנ' אשר יסדו הרב מר אביו ז"ל. חכמי רשיד ממליצים לעזור לחאגיז בפעולתו זאת. חתומים: דוד גרשון, דוד רעואלי, שבתי נאוו.

ה. המלצה כנ"ל, חכמי וגדולי אלכסנדריה (נאיאמון). חתומים: לוי לאניאדו חיים, יוסף בכהר"ר בנימין הלוי ס"ט ז"ל, יעקב פראגי מהמה, חיים סראגוס, לוי די ליאון, יעקב אשכנזי<sup>74</sup> סעדאן (ו) מכלוף צלח; „בכתב נצרי<sup>75</sup> חתומים אלה: סוחרי ואלי הארץ הלועזים: משה מאגורו, גראסיא דיו ליאון ר"ל חננאל, יעקב מאגורו, דוד ראביל, אברהם די אליהו וואס.

ו. חכמי ליורנו לרבני ירושלים – שנת תנ"ט: –

„מאתנו יצאו הדברים לחלות את פני רום מעלת ידידנו זה משה... שיעלים

<sup>72</sup> בהיותו באיטליה נשא אשה אחרת, את וינטוריינה בת אשר חפץ. עיין: זנה,

שם עמ' קס"ט.

<sup>73</sup> שבור – פושט רגל.

<sup>74</sup> אולי הוא. החכם השלם כמה"ר יעקב אשכנזי יצ"ו שזכר ע"י ר' מרדכי הלוי בשו"ת

דרכי נעים (אורח חיים סי' ד, ו ע"ג)?

<sup>75</sup> ר"ל – לטיני.

לתוֹךְ השְׁלוֹם ולדַּבֵּר האַמֶּת". חתומים: שִׁמְעוֹן גּוֹיִיוֹזוּ, יוֹסֵף בִּיּוֹאֵשׁ, יִצְחָק נַעֲמִיאֵשׁ, יִצְחָק עַלְמָנִי, יֵאֲשִׁיהוּ ן' נַחֲמִיאֵשׁ, מִנַּחֵם גּוֹיִיוֹזוּ, חִיָּא גִבְרִיאֵל.

ג. חֲכָמִי מִצָּרִים לִרְבֵּנִי לִיּוֹרְנוּ: ... כֹּה־רַ עֲמֻנָאֵל אִירַגֵּשׁ <sup>68</sup> נִרְ"ו וְכֹה־רַ רִפְאֵל דִּי מְדִינָה נִרְ"ו וְכֹה־רַ אֲבָרְהָם דִּיל רִי״ו <sup>69</sup> נִרְ"ו. – שְׁנַת תְּנ״ו: – כְּתַב הַמְּלָצָה עַל „הַחֲכָם הַשֵּׁלֶם, בֶּנִּין שֶׁל קְדוּשִׁים כְּמֹה־רַ מִשָּׁה חֲאֲנִיז ... הִפָּךְ עַלִּי בִלְהוֹת הוֹמֵן ... תַּחַת אֲשֶׁר מִלְפָּנִים ... שְׁלִי הִיָּה בְּבִיתוֹ ... שׁוֹקֵד עַל לְמוֹרוֹ יוֹם וּלְיָלָה ... בַּהֲסָגָר שְׁתַּקְנוּ וּיְסִדּוּ הַגְּבִירִים וּמַעֲוִלִים כֹּה־רַ רִפְאֵל <sup>70</sup> וְיִגְאֵל וְאֲחִיו ז״ל. דֹּאחֵר שְׁתַּבְקֵשׁ בִּישִׁיבָה שֶׁל מַעְלָה הֶרֶב אֲבִיו ז״ל, לֹא הִשְׁבִּית לּוֹ ה' גּוֹאֵל וְהִיָּה מַחְזִיק בְּתוֹרָתוֹ בְּבֵית מִדְרָשׁוֹ שֶׁל הֶרֶב הַגְּדוֹל זְקֵנוּ מִה־רַ מִשָּׁה גֵּאלְנָטִי זְצוּק״ל, וְכִשְׁתַּבְקֵשׁ בִּישִׁיבָה שֶׁלִּמַּעְלָה הֶרֶב זְקֵנוּ זִלְה״ה, נִתְדַּלְדַּל הַהֲסָגָר הַנִּי׳ כִּי פִּסְקוֹ אֲנָשִׁי רַמִּים מִלְשֻׁלֹּחַ לַהֲסָגָר הַנִּי׳ הַהִסְפָּקָה שֶׁהִי נֹהֲגִים לְשַׁלּוֹחַ לָהֶם מְדֵי שְׁנָה בִּשְׁנָה, וְנִשְׁאָרוּ הַת״ח הַלּוֹמְדִים בַּהֲסָגָר הַנִּי׳ בְּלִי מִשְׁעָן וּמִשְׁעָנָה וּלְכֹו אִישׁ לֵאחָלוֹ לְבַקֵּשׁ מַחִיָּה לְנַפְשׁוֹ וּלְהַמְצִיא טָרֶף לְבִיתוֹ. <sup>71</sup> גַּם הָאִישׁ מִשָּׁה ... הוֹכֵרַח בַּעַל כְּרָחוֹ שֶׁלֹא בְּטוֹבוֹתוֹ לְצִאת מֵאֲרָצוֹ וּמִמּוֹלַדְתּוֹ אֶרֶץ צְבִי יְרוּשָׁלַם עַה־ק״ת וּלְרַכּוֹב אֲנִיּוֹת ... וּלְהַשְׁגִּיחַ עַל עֶסְקֵי הָרַבִּנִּית הַיָּא אֲמֹ. וְהִי בְּהִיּוֹתוֹ בְּמִקּוֹמוֹת אֱלוֹ גִּמְר בְּרַעְתּוֹ וְעַל פִּי עֵצַת הַזְּקֵנִים עֲלִתָהּ הַסַּכְמָתוֹ לִלְכַּת לְמַחְנִיכִם קְדוּשָׁה, כִּי זֹאת הִיָּתָה רֵאשִׁית סִבְתּוֹ וְעִיקָר יִצְיָאָתוֹ מֵאֶרֶץ אַחֲזוֹתוֹ ... אֲשֶׁר עַל כֵּן, אֲלִיכֶם הַמְצוּהָ הַזֹּאת ... לְמַעַן צִיּוֹן לֹא יִחַשׁוּ וּלְמַעַן יְרוּשָׁלַם לֹא יִשְׁקוּטוּ עַד אֲשֶׁר יִבְנֶה וַיְכַנּוֹן הַהֲסָגָר הַלֵּל, לְהַשִּׁיבּוֹ לְאִיתָנוּ וּלְהוֹשִׁיבּוֹ עַל כְּנוֹ כְּמִשְׁפַּט הָרֵאשׁוֹן אֲשֶׁר

<sup>68</sup> אֲבִיו שֶׁל הַמְּקוֹבֵל ר' יוֹסֵף אִירָגָאס. ר' מֵלָאכִי הִכְהֵן כּוֹתֵב עַלָּיו (בַּהֲקִדְמָה לְסִפְר דְּבִרֵּי יוֹסֵף׳ לְבִנּוּ הַגִּיל, לִיּוֹרְנוּ תְּק״ב, ב ע״א): „אֲשֶׁר עַד שְׁבָה וְחָקָה הוּא שִׁפְט אֶת יִשְׂרָאֵל וְכָל מַעֲשָׂהוּ בְּאֲמוּנָה לְהוֹצִיא לְאוּר מִשְׁפָּטָם״.

<sup>69</sup> ר' מִשָּׁה חֲאֲנִיז מוֹכִירוֹ בְּהַעֲרוֹתָיו לְשׁוֹת „הַלְכוֹת קִטְנוֹת׳ (חֲלָק א, ס״ עח, ח ע״א): „שְׁלַחְתִּי לְהַבִּיא הַס״ ... „כִּנְסַת הַגְּדוּלָּה׳ מֵאֲצֵל הָאוֹהֵב וְהַשְׁנָה בְּהַלְכוֹת הַגְּבִיר הַחֲכָם כֹּה־רַ אֲבָרְהָם בֶּר דּוֹד דִּיל רִי״ו נִרְ"ו״.

<sup>70</sup> גִּבְרִי בִּשְׁם זֶה בְּאִמְשֻׁטְרָדֵם מוֹכֵר ע״י ר' דּוֹד דִּי־סִילּוֹא בַּהֲקִדְמָה לְסִפְר „פְּרִי חֹדֶשׁ׳ שֶׁל אֲבִיו (חֲלָק א, אִמְשֻׁטְרָדֵם ת״צ): „הַגְּבִיר דְּגִמְר וְסִבִּיר מִשְׁכִּיל וְנָכוֹן ... מִשָּׁה רִפְאֵל דְּאִוִּינָא״. אֲוֹלֵם בְּרוּר שֶׁאֵין הוּא רִפְאֵל שֶׁלּוֹ.

<sup>71</sup> כְּדִבְרֵים הָאֵלֶּה כּוֹתֵב תַּלְמִיד הִישִׁיבָה, ר' יוֹסֵף הִכְהֵן, בַּהֲקִדְמָה לְסִפְר „זִבְח שְׁלָמִים׳ (אִמְשֻׁטְרָדֵם תִּס״ב, ב ע״ג) לְרַבֵּן, ר' מִשָּׁה גֵּאלְנָטִי: „בָּאוּ וְנַחְזִיק טוֹבָה לְהִירָאִים ... כֹּאֲשֶׁר הִיוּ מִלְפָּנִים מַחְזִיקִים בְּבֵית הַמִּדְרָשׁ הַגְּדוֹל אֲשֶׁר בִּירוּשָׁלַם תּוֹכִיב בְּאִמְצָעוֹת וְסִיעוֹ הַסְּפָקָה הַגְּבִירִים הַמַּעֲוִלִים ... אֲבָרְהָם יִשְׂרָאֵל וְיָנָה וְאֲחִיו כֹּה־רַ יַעֲקֹב וְיָנָה זִלְה״ה אֲשֶׁר בְּנוּ לָהֶם דִּירַת וְעַלִּי בְּקִבְעוֹת בֵּית וְעַד לְחֲכָמִים עַל יַד הַגָּאוֹן הַגְּדוֹל מֵאִיר דְּמַתְנִיתִין כְּמֹה־רַ יַעֲקֹב חֲאֲנִיז זִלְה״ה אֲשֶׁר בְּנָה וְנָטַע כְּרֵם וַיּוֹכֵל עֲפְרִי חֲמִיו הַגָּאוֹן הַמְּפֹרָס ... מִשָּׁה כְּמֹה־רַ יְהוֹנָתָן גֵּאלְנָטִי זִלְה״ה אֲשֶׁר קָם תַּחְתּוֹ הֶרֶבָה עַד יוֹם חֲרָבָן שְׁנִגְרָה גִּמְרָה וְנִתְקַדֵּשׁ מִשָּׁה בִישִׁיבָה שֶׁל מַעְלָה וְנַחֲרַבָּה בְּתִיָּהֶם שֶׁל צִדִּיקִים הַנוֹכְרִים וְנִגְזַר עַל בְּנֵי צִיּוֹן הַיִּקְרִים לְהִיּוֹתָם גּוֹלִים ... כִּי הִנֵּה הַצָּרוֹת הַצָּרוּרוֹת אֲשֶׁר עָלוּ וּבָאוּ אַחֵר פְּטִירָתוֹ עַל כָּל יוֹשְׁבֵי הָעִירִים הוּא דִּבֵּר אֲשֶׁר לֹא הִיָּה לְעוֹלָמִים ... וְהִי כֹאֲשֶׁר יֵצֵא יִצְאָתִי גַם אֲנִי כֹאחַד מֵהֶם טְרוּד אַחֵר פְּרָגְנַת אֲנָשִׁי בֵּיתִי ... עַד בּוֹאִי פֶה אִמְשֻׁטְרָדֵם׳ וְכו״.

## נספח א\*

## תכנון של האגרות

א. רבני ירושלים לגוברי הקהילה במצרים – שנת תנ"ד:  
 ... על דברת אשת חיל הרבנית מרת מרים ת"ם בת הרב... כמוהר"ר  
 משה גאלנטי זצוק"ל... כי אביה הרב הנזכר נתן סך מה מנכסיה ביד הגביר  
 כה"ר יצחק הכהן ידיע קוטיןא<sup>66</sup> נר"ו בתורת עסקא לה לשמה...  
 והגביר הנ"ו היה שולח לה מירי שנה בשנה מפסח לפסח... כתנאי שביניהם...  
 אך עתה זה שנתיים אשר פסק... ואף כי אחרי מות אביה הרב הנזכר... חפשה  
 חפוש מחפוש ער שקבצה מכסף חזהב ושמלות סך מאה גרוש'ש אריות ונתנתם  
 לעה"ק צפת תוב"ב להעלות לה שכירות מירי שנה בשנה... גם אלה... זה  
 שנתיים אשר עזבה ושכחה... ומרוב דוחקה וצעררה שלחה את הבן... החכם  
 השלם... כמה"ר משה חאגיז נר"ו... לבקש מזור למכתה' ראשי הקהלה במצרים  
 מתבקשים לעזור לו בעניין זה. על האגרת חתומים: דוד יצחקי, משה נ'  
 חביב, עובדיא אהרן חייזן, יוסף חזן, שמואל הכהן,  
 יעקב מולכו, יום טוב צהלון.

ב. רבני צפת לירושלים – שנת תנ"ז:

... על דבר המחלוקת שהינתן בינינו ובין כמהרר"א<sup>67</sup> גאלנטי נר"ו  
 מאריה דאתרא, [כבר הודענו] ע"י רץ מיוחר, ושם נאמר ששמענו דברים  
 הרברים שכתב כמהר"א גאלנטי בחברת אחינו ושרינו החכם השלם הדיין המצויין  
 כמה"ר נסים רוזיליי נר"ו והחכם השלם בש"ק כמה"ר משה חאגיז נר"ו,  
 ועתה ידענו והוברר לנו כי אותם בני בליעל הגידו לנו דבר שקר וכזב... אדרבה  
 סופן הוכיח על תחלתן אשר רצו כצבאים לעשות רצון קונם ונכנסו בעובי הקורה

\* ע"י לעיל עמ' י, הע' 34.

66 במצרים נודעה, בוסן הגידון כאן, משפחת כהנים בשם קוטיינה. אפשר שטעות דפוס  
 היא בטקסט שלפנינו. יוסף הכהן קוטיינה הוא הראשון שיש בידנו ידיעות עליו. הוא היה  
 המעאלי' של העיר רשיר (רוחיתא). עיין: גנות ורדים, חלק ב, אבן העזר כלל ג, סימן יד,  
 מו ע"א. מה היה תפקידו של המעאלי, אין לנו ידיעות בבירור. רוחאניס (קורות היהודים  
 בתורכיה, חלק ב, עמ' 386) חושב שהיה חוכריהמל'. מסתבר שהיה לו למעאלי תפקיד  
 חשוב בקהלה היהודית, כי כפי שנראה מתוך אותה תשובה היה בתידין במצרים מקבל את  
 דבריו כמסמכים ונאמנים ביותר. משרה זו עברה בירושה לבנים. בנו של יוסף, הגביר החכם  
 הנעלה כה"ר אברהם הכהן ידיע קוטיינה יצ"ו היה גם הוא, המעאלי של רשיר (ע"א  
 ושם סי' יג, מה ע"ג). סמוך לזמן כתיבתה של תשובה זו, של ר' אברהם הלוי רבה של מצרים,  
 נפטר יוסף קוטיינה (עיין בדף מו ע"ג) אולם אין לדעת מתי נכתבה התשובה. – שם אביו של  
 ההיסטוריון היהודי הידוע ממצרים, ר' יוסף הכהן סמברי ידיע קוטיינה, היה יצחק,  
 ושמו הוא יצחק הנזכר בתעודה שלפנינו וגם פה   המשפחה בטעות, כי גם הוא היה כהן.  
 ואם כן אפשר לשער שיוסף סמברי היה נכדו של יוסף המעאלי.

67 – כבוד מורינו הרב ר' אברהם. פרטי הדברים על המחלוקת שבין קהלת צפת ור'  
 אברהם גאלנטי מבוארים ב, גנות ורדים, חלק ב', קושטא תע"ז, דף צ"ד.

בעצת ר' יהושע שונינה הביא נתן לרפוס שנים מספרי רבו ר' משה נ' חביב. בשנת תפ"א יצא לאור ספרו הגדול, גט פשוט ושש שנים אח"כ, בשנת תפ"ז, הספר שמות בארץ. שני ספרים אלה נרפסו גם הם ברפוסו של יונה אשכנזי.<sup>61</sup> לפני כן נרבו נתן כסף להדפסת, תקוני הזהר שהונה ע"י מהרח"ו.<sup>62</sup>

ג. בכספו של נתן הוקמו ישיבות בשאלוניקי. לפני שנת תע"ז ייסד ישיבה ובראשה העמיד את ר' יוסף דוד שהיה רב בק"ק קשטיליא (ידוע כמחבר ספר השו"ת, בית-דוד). בשנת תע"ז נתן כסף לבניד-ישיבה ב.ק"ק ציציליא ישן. בראש ישיבה זו עמד, כנראה, ר' שלמה אמירליי (מחבר שו"ת, כרם שלמה). בכ"ח חשון חונק הבית, ר' שלמה אמירליי דרש, לחנוכת הבית אשר פעל ועשה והפריש נרבה מכיסו וממונו להטיל מלאי לכיסן של ת"ח לקבוע ישיבה בכל יום בק"ק ציציליא ישן יע"א, ה"ה הגביר המרומם זקן ונשוא פנים כה"ר אברהם נ' נתן בכמה"ר חיים זלה"ה, תושב רשיד אשר מאז מקדם היה תושב פה שאלוניקי יע"א.<sup>63</sup> נתן לא הקפיד על כך שבישיבה זו יקבעו מקום תלמידי חכמים הלומדים גם בשיבות אחרות. כנגד זה חשב אמירליי שיש להרבות תורה בישראל ע"י זה שהתלמידים יהיו לומדים אך ורק במקום זה. על כך הוא אומר בדרשתו: רצוני שיהיה לו – לאברהם נתן – חלק בראש בכל מה שלומדים כל הת"ח בכל ישיבות שאלוניקי יע"א, ולפי שכבר תיקן ישיבה אחת בעולם זה ימים מועטים מבעלי תורה וגדולה היא לאלדים, ועל ראשם מלמעלה אחי יפת הגדול ו יוסף הוא השליט ה"י, ואם אותם הת"ח יהיו רוצים לזכות לב' שולחנות, א"כ לא נעשה עצתי שיהיה הגביר זוכה בכל לומדי התורה בכל הישיבות שבעירנו לכן אמרתי פנים חדשות יבואו לכאן.<sup>64</sup> על סדרי ישיבות אלו וקורותיהן אין בדינו לעת עתה פרטים נוספים. – אברהם נתן נפטר ברשיד בשנת תפ"ה וכבוד גדול עשו לו במוותו. במקומות שונים הספידוהו ור' יוסף דוד אמר עליו דברי-הספר ב.קהל קדוש קאשטיליא, בשאלוניקי.<sup>65</sup>

<sup>61</sup> בשער הספר, גט פשוט נרשמו הדברים הבאים: "אשר הקדיש סך מסויים להדפיס ספרי הקדש, נתן וחזר ונתן ועיין גם בשער הספר, שמות בארץ".

<sup>62</sup> מר א' יערי העירני על ספר זה וגם על מאמרו, שלשה דורות של מרפסים אשכנזים בקושטא, קרית ספר, כרך יד עמ' 241 והלאה, שנאמרו שם כמה דברים דומים.

<sup>63</sup> פני שלמה, דרוש נ"ו, פ"ד ע"ד. <sup>64</sup> שם, פ"ד ע"ד.

<sup>65</sup> על שמועה כי באה מפטירת הגביר המרומם המחזיק ידי לומדי התור' כמה"ר אברהם נ' נתן תנצב"ה בסדר וארא כ"ח לח' טבת שנת התפ"ה. יקרא דשכבי, לר' יוסף דוד, שאלוניקי תקל"ד, דרוש צ"ג, קפ"א ע"א.



ב. מן הכסף שהקדיש נתן להרפסת ספרים באו ברפוס בחייו: שני ספרים גדולים של ר' חיים בנבנשת, רבה של אומיר, שני ספרים של ר' משה'ן חביב, רבה של ירושלים, וספר „תקוני הזהר“.

בשנת תע"ד נסע המרפס יונה בן יעקב אשכנזי מואלאוץ, שהקים בקושטא ביתדפוס משובח, למצרים כדי לקבל את הרפסת הספר „גנת ורדים“ של ר' אברהם הלוי רבה של מצרים. רבני קושטא שהשתדלו להרפס את „כנסת הגדולה“ של ר"ח בנבנשת מסרו בידו מכתב, להגביר המרוםם שב גם ישיש אוהב התורה ולומדיה... אברהם'ן נתן, והרי תמציתו:

„על אודות שמועה טובה אשר שמענו כי רום מעלתו נרבה רוחו אותו והקדיש סך מנכסיו וכוונתו רצויה לזכות בהם את הרבים כי חפץ חסד הוא על כן הוא לנו לגלות און מעלתו... כי זה ימים קמנו ונתעורר להוציא לאור... כנסת הגדולה... והרפסנו חלק ממנו והשאר נשאר כלא... אנה ה' לירינו שבעל הרפוס... כה"ר יונה אשכנזי ה' מוביל דגא העיר ה' את רוחו ללכת לארץ מצרים להתפשר להרפס ספרו של הרב כמהר"ר אברהם הלוי ז"ל<sup>57</sup> אמרנו... להודיע... אם ירצה מעלתו שיתגלה ויאיר הארץ מכבודו ויקרא על שמו ויפשר עם המרפס הלז להרפס הנשאר מחלק י"ד --- החותמים בקושטא בסדר למען יברכך ה' אלהיך בכל מעשה ידך שנת היא הרע"ת אותי ושלום. - אברהם קמחי, יאודה רואניס, חיים קמחי, חיים אלכפאנדארי, אליהו אלכפאנדארי“<sup>58</sup>.

ברשיד התגורר אז ר' יהושע שונינה, מתלמידיו של ר' משה'ן חביב בירושלים, ואחיו העשיר אברהם שונינה. שני אישים אלו שהיו ממקורביו של נתן המליצו גם הם על הרפסת הספר. נתן נאות לכך. חלק יורה דעה נגמר ברפוס בשנת תע"ו ו„שירי כנסת הגדולה“ על יורהדעה יצא שנה אח"כ, בשנת תע"ז.<sup>59</sup> נתן חשב להוציא גם את שאר החלקים אלא שבינתיים השקיע את כספיהקרון בספרים אחרים. אולם הוא השפיע על ידידו ברוך בנבנשת נכדו של ר' חיים בנבנשת שהיה מחשובי הקהלה ברשיד לתת את הוצאותהרפוס עבור שאר החלקים.<sup>60</sup> החלקים האחרים נרפסו אחרי זמן רב אבל לא בכספי ברוך אלא ע"י נדיבים אחרים.

57 חלק ב' נדפס בשנת תע"ו, ואחריו נדפס חלק א', בתע"ז. ספרו „איר נתיב“ - בתע"ח. - כואו של המדפס למצרים עורר את חכמי מצרים להדפיס גם את שו"ת „מטה יוסף“ לר' יוסף הלוי בן משה הנזיר (ועיין בהקדמות של הספר; ח"א - תע"ז, ח"ב - תפ"א), ואת הספר „ערך לחם“ לר' יעקב קאשטרו (תע"ח).

58 נדפס ב, כנסת הגדולה" הניל.

59 בשער הספר הראשון כתוב: הספר „מנחם בקרן זוית עד שהעיר ה' את רוח הישיש ונשוא פנים הגביר המרוםם כמהר"ר אברהם'ן נתן נר"ו בכמהר"ר חיים, מיחיד ק"ק סאלוניקי ואיתן מושבו בק"ק רשיד, והוא בן חיל אשר עשה כהיום הזה להפריש מממונו לזכות את הרבים“; בספר השני: נדפס „ע"י תפארת שיבה הגביר המרוםם על כל מעלה כמהר"ר אברהם'ן נתן מושבו ברשיד אשר הגדיל לעשות... לזכות את הרבים ועוד ידו נטויה ויבא את כל הכסף“.

60 „פני שלמה“ אמירליין, שאלוניקי תע"ז, דרוש נ"ו, פ"ד ע"א: „כן שמענו נתעוררו אחרים גם הקרובים אליו - אל נתן - במחנהו קדוש ה"ה הגביר נשא ורם על כל ברכ"ה בן בנו של רבינו, ברוך שאכלנו משלו... וגדר להדפי' כל כתבי הרב מר וקנו ז"ל ה' זכרהו לטובה“.

אל ארץ מצרים **ה** העיר ראש־ד ושם גב דעת הבריות ודעת המקום ומעל בקרשים של הקצין ר' אברהם נתן ועדיין מונחים והריהם בכי יותן".<sup>52</sup> כשלוש שני זה הרבה את צערו של חאניז והיה מעתה מיואש מתכניותיו להקמת בתי־המדרש בירושלים. על כך הוא כותב<sup>53</sup> במרירותו:

ואברתי ימי ושני להחזיר עטרת התורה ליושנה על יד הקדש הגביר אברהם נתן מרשיד שגם בו הצליח מעשה שטן לטורדו מן העולם,<sup>54</sup> ובאמצעות אנשים אנשי בליעל עיכבו ההקדש עד היום שלא כדון ושלא כשורה, ולהיות כי אין אדם דן עם מי שתקיף ממנו עד הנה החרשתי ואהי כמחריש עוד ימים מספר לראות אולי יש תקוה שיתבררו ויתלבנו הדברים על פי אמתותן שאין על ההקדש הזה צד פקפוק כל עיקר... ואם יגזור ה' בחיים אפרסם הדבר בכתב ובעל פה בראיות ברורות ועדים נאמנים שחיים הם עד הנה... ואם איזה אדם אחר שידע בדבר ההקדש הזה לאיזה סיבה מחמת קנאה או שנאה אם תחרות שיש לו לא ירצה לגלות באמת אשר ידע בו עונו ישא... אך אמת יהנה חכי ויעיד עלי בורא עולם כי ידי היתה כיד עניים בהקדש הזה, שהומנתי עליו לגבאי ופקיד ומשגיח וזכיתי בו לשם הת"ח ורשעים שבלבלו וערבבו דעת המקדיש הם ישאו את עונם יקבע את קבעיהם נפש ואני את נפשי הצלתי... ולא אנוח ולא אשקוט עד אשר אם עשיתי מה שמוטל עלי ובפרט כי בזה תלוי חזרתי לארץ מולדתי".

חאניז לא פרסם משום מה את הדברים שאליהם הוא מרמז גם לאחר מות המקדיש, שעוד לא היתה כל אפשרות להחזירו מרעתו. על תוכן דבריו שהובאו למעלה הוא חוזר בספר אחר<sup>55</sup> שפירסם שנים רבות אחר־כ, ואלה הם:

והמטיב עקלקלותם וכל אותם שקלקלו את ההקדש הנז' [של וויגה] וכיוצא בו, אותם שהקדיש על ידי הגביר המנוח הר' אברהם נתן מרשיד, שהיה לו לקבוע בע"ק ירושלם ת"ז עם היו"ת] שהנחש<sup>56</sup> השיאו להפך צנורות השפע לפי דעתם מקדושה לקדושה ה"ת הוא היודע אם לעקל או לעקלקלו] ולפניו ית' גלוי דכל מה שעשה נח"ש זה לא היה אלא מחמת קנאה... וכל זה איננו שוה לו כי ת"ת דרבי' קבוע עם תלמידים] כמו שהקבעתיו ממה שלמדתי מדרכי אבותי ז"ל והם בטלחהו, לא יאבה ה' סלוח לכל פועל רע יען שכל מה שקלקלו לא היה אלא מחמת קנאה שנאה ותחרות, כמו שגלוי ומפורס' בפני בור[א] עולם ולפני גלוי, רק שאין בידי למחות ומניח אני משפטם ודינם לבעל המשפט... כי אלהינו היודע כל הנסתרות בו מובטח אני על שכרי הטוב שרציתי להטיב להגביר הנז' וללומדי תורה שירביצוהו בק"ק ע"ק ירושלם ת"ז".

<sup>52</sup> הצד צבי, אמשטרדם תע"ד, התנצלות הרב המחבר' נ' ע"א.

<sup>53</sup> שפת אמת, שם.

<sup>54</sup> לא במשמעות מות כי הלא בשנת תס"ז היה נתן בחיים, אלא בהוראת נטייה מן הדרך הטובה.

<sup>55</sup> משנת חכמים' סי' שנ"ב, ע"ו ע"ג.

<sup>56</sup> אפשר שהוא מרמז כאן על שמו של נחמיה קיין, שמונימח.

ריאליזם אשר נתקבלו כבר. את היתרה יש להעביר שוב ליד עטיאש. תנאי זה הוא איננו בהתאם ל"שטר ההרשאה" שבו נאמר כי יש בידם "לקנות הבתים מכל סך השלשים אלף". נתן ביקש גם לשלוח לו את השטרות, "בלי חתימה כדי שיראה אותם". אחר המורשים עמד על הסתירה הזאת והתנגד לפעולה בטרם יתברר הדבר, ואמר כי לדעתו דבר זה "קרוב להפסד ורחוק לשכר". ר"ש קושטא חשב לתומו שדבר זה נעשה לא מתוך ערמה אלא מתוך אידיעות, "חוקי השררה" של המקום. על כן פנה לר"ד גרשון שיבקש מנתן לכתוב "הרשאה החלטית" . . . שתעשה העסקא הנז' כדת". עבר זמן רב וחכמי ליורנו לא קבלו תשובה על מכתבם. התחילו לחשוש ולחשוש בעניין וכדי שלא יתבטל, קנו בשנת ת"ס חלקת אדמה גדולה ע"ש ההקדש. ר"ש קושטא מיהר להודיע זאת לגרשון.<sup>50</sup>

מתוך קומץ הפרטים שבידינו אין אנו יכולים לעמוד היטב על השתלשלות הדברים. אפשר כי השינוי בדבריו של נתן בא כתוצאה מרכילות ולשון הרע מצד אותו חוג שעליו דובר בפרק הקודם או שחיון עצמו בהיותו ברשיד הביא דבתו של חאגיז לנתן. ואולי גם סירובו של אותו מורשה לפעול בא ע"י רמז שקיבל מנתן. על ההקדש הזה ידעו מתנגדיו של חאגיז, שכן במכתבם הנ"ל הם אומרים: "אנו חתומי בית דין גמורין שלא ימסרו בידו שום מינוי . . . לא מן המדרש הישן של הגביר וויגה . . . ולא שום מדרש או הסגר מחודש אשר כמה ימים שמענו מנרבת כהר"ר אברהם נתן ושמענו הנער הלז מטפל לזה . . ." חיוק להשערה זו יש גם באגרות שלפנינו שבהן נמסר כי חאגיז יצא את ליורנו בשנת ת"ס ונסע לרשיד, "כדי לתקן מה שקלקלו פריצי הדור . . . בלשונם הרע והוצאתם דבת הארץ רעה אל הגביר אברהם נתן המקדיש". גדולי הקהלה בליורנו מיהרו להודיע לנתן כי אין אמת בדבריהם של חכמי ירושלים, ויוסיפו עוד שנא אותו על כי כל אשר הוא עושה ה' מצליח בידו וכי מצא חן בעיני הגביר הר"א נתן ויפקדהו על ביתו. אולם בסופו של דבר בטל נתן את צוואתו זו הראשונה וכתב צוואה אחרת שבה חילק את עזבונו לא רק לירושלים אלא גם לשאר ארבע ארצות, לבנין ישיבות בסאלוניקי, להדפסת ספרים ולקרובים.<sup>51</sup> הכסף שכבר ניתן וחלקת האדמה נשארו ע"ש ההקדש של ירושלים. חייא נחמיה חיון בספר הפולמוס שלו, "הצד צב"י" כותב: "וברח – חאגיז –

50 ע"י נספח א', אגרת י'.

51 על שתי הצוואות וחקירתן עיין ביהר פירוט בשו"ת, משאת משה' לר' משה ישראל, קושטא תק"ב, חלק ג' סי' ל"ג דף ק"ז ע"ב ואילך. שלשה מגדולי הרבנים במצרים והם: אברהם מונסון, ישועה נתן ושלמה אלגאזי (השני) אשרו את הצוואה השניה, אתם הסכים גם ר' משה ישראל. ר' דוד גרשון אמר לפסול את הצוואה השניה (למט עלה (?) דמילתא שלא ישנו דבר מקמייתא". שם ק"י ע"ב. הישיבה בירושלים הוקמה שנים רבות אחר מותו ואחר מות ר"מ חאגיז. ברשימת הישיבות שפירסם פרומקין (תולדות חכמי ירושלים חלק ג', עמ' 40) נזכרת ישיבת "חסד לאברהם" שנוסדה בשנת תק"ז. על ידי המקדיש ר' אברהם נתן וע"י הראש ר' דוד פאדרו. את הידיעות הללו העתיק מ. זכרון שמות הקדושים והמחזיקים אותם. ישיבה זו היא היא ישיבת "חסד לאברהם ובנין שלמה" שהיתה קיימת עד ערב המלחמה העולמית הראשונה. עיין הסכמת ר' דוד פאדרו לס', דרך ישרה' לר' ראובן אברהם, שאלוניקי תקמ"ה. – עפ"י האמור כאן אין מקום להשגחו של ריבלין על פרומקין (מלואים' שם).

עמדו בקשרימסחר אמיצים עם איטליה ותורכיה. וגם נתן הקים סניפים לעסקיו בארצות אלו, מסחרו פרץ והיה לאחר מעשרי מצרים הגדולים. נתן היה אציל ברוחו ונדיב־לב, תמך בתלמידי חכמים ורצה להרבנות תורה בישראל. הוא נתן את ידיו להקמת ישיבות שונות בארצות המזרח ונרב סכומיכסף גדולים להרפסת ספריהם של חכמי־הדור.

כשיצא חאניז למצרים בשנת תנ"ה ביקר, כאמור, גם ברשיד ונתאכסן בביתו של ר' דוד גרשון, רב הקהלה, שקבלו בכבוד גדול. ר"ד גרשון היה תלמיד חכם גדול בתורה ובעל השפעה עצומה על בני קהלתו ובהשפעתו הסכים נתן לנרב סכום כסף גדול, שלשים אלף ריאליס, להקמת הישיבה.<sup>45</sup> ולא עוד אלא שהחליט להוריש לה אחר מותו את כל עזבונו.<sup>46</sup> את הכספים לא הקדיש בשביל קהלת ירושלים אלא באופן פרטי לישיבה,<sup>47</sup> ואת ר' משה חאניז מינה להנהלתה. כנוברים מינה את אברהם סולימה ובניו, סוחרים עשירים מליוורנו.<sup>48</sup> נתן כתב, שטר הקדש שאושר בבית־דינו של ר"ד גרשון ועריו היו, החכם הנעלה כמה"ר דוד רעואל" ושמואל יעבץ תושבי רשיד.<sup>49</sup>

את הכסף היה חאניז צריך לקבל מידי סוכנו של נתן, אברהם סולימה, בליוורנו. בהיותו שם קיבל חאניז חלק מהכסף שכן הוא כותב שהניח, כתבים... מופקדים ביד הגביר אברהם סולימא ובניו תושבי ליוורנו עם עיקר הנכסים שבאו מידי לדי לשם הת"ח שבא"י כאשר כל זה מפורסם לרבים". פעולותיו של חאניז נעשו תחת השגחתם, או, לכל הפחות בידיעתם, של רבני ליוורנו. במכתבו משנת תנ"ח כותב ר' שמואל קושטא, אב"בית־הדין של ליוורנו, לר"ד גרשון כי חאניז, "נע בכחו ואנו להביא הדבר לידי גמר טוב על ידי עושה המלאכה ה"ה הגביר כהר"א עטיי"אש נר"ו אשר באמת היה הכל מוכן ומוזמן לסעודה ועל ידי גמר הכל עם הכהר"א עטיי"אש להתחייב בכל מה שהוא שואל כהר"א נתן". לעטיי"אש זה, שהופקד גם הוא על הגשמת הדבר, היו כנראה קשרי מסחר עם נתן. בכסף היו צריכים לקנות נכסי רלא ניידים בליוורנו, ומן הפירות יכלכלו את צורכי־הישיבה. כל פעולה שנעשתה הודיעו עליה תחלה למקדיש עצמו. באחד המכתבים שקבלו מנתן נאמר שיש ביד המורשים רשות לקנות רק בסכום של ששת אלפים ותשע מאות

<sup>45</sup> חאניז לא חשב לחדש את ישיבת בית יעקב' בכספו של נתן, כך יוצא מאגרת ט': במינוי שנתמנה - חאניז - בהסגר הגביר וינה והן במינוי שנתמנה לכשיתייסד הסגר הגביר הר"א נתן'.

<sup>46</sup> הקדיש לגבוהה כמסירה להדיוט כמוני שלשים אלף ריאליע לשעתן עם שארית נכסיו אחר מותו כאשר כל חכם לב יראה מהמכתבים שהנחתי מופקדים ביד הגביר אברהם סולימא ובניו תושבי ליוורנו'. שפת אמת', כ"ז ע"א.

<sup>47</sup> נספח א', אגרת י"ב.

<sup>48</sup> עם סיום כתיבת המאמר נודמן לי לראות ב.תולדות חכמי ירושלים' (מלואים למ"ג עמ' 37) כי בארכיון של עננו בירושלים נמצא, שטר ההקדש' שעשה נתן בשנת תנ"ו ואני מפרסמו בסוף בתור, נספח ב'.

<sup>49</sup> שפת אמת' שם. - רעואל עבר אח"כ להקיר.

את אשר הוא חושב לבנות נתמלא יאוש מר והתחיל לפרסם ברכים וגם להרפים דברי פולמוס עם יריביו. גם יריביו לא טמנו ידם בצלחת ורצו לנקום בו בדרכים שונות, אף במלחמתו הכנה במחדשי התנועה השבתאית. על דבר זה הזהירו בעוד מועד חכמי אמשטרדם – ביניהם גם אאיליון עצמו – בשעה שקבלו מכתב־תרעומות מחכמי ליורנו על חאגיז (בשנת תס"ט), ואמרו:

„הם היו גרמא בנויקין דיגע בעשר אצבעותיו ומאומה אין בידו וזה כמה שנים שהוא חוץ למקומו מקום הקדש ראין אדם נתפש על צערו ותשב באיתן קשתו והרבה להשיב אפו ברמזיה זו ומרוב צרותיו אמר אברה וירוח לי אפתח שפתי ואענה“.<sup>43</sup> דברים אלה שנאמרו זמן רב לפני פרוץ הפולמוס בינו ובין אאיליון מראים לדעת שחכמי אמשטרדם הבינו לרוחו של חאגיז מר־הנפש וידעו שתרעומותיו היו בצדק, כי הלא שנים רבות אבד האיש בפעולותיו למען ירושלים עיר מולדתו ועל כך הקדיש את כל כחו ואונו ובסופו של דבר נמלוהו אנשי ירושלים רעות. עצם היותו נורד בחוץ־לארץ ממקום למקום והתרחקותו ממולדתו הוסיפו לו סבל על סבל ואף איש בעל אורך רוח – בנגוד לאופיו הלוהט של חאגיז הלוחם והקנאי – לא היה יכול לעמוד בנסיון ולבלום פיו לנוכח מה שעוללו לו. ואולם חאגיז שקונן תמיד על סבלה של ארץ הקודש מצא קצת נחומים בפעולות התעמולה שלו להסברת הערכים הנצחיים שלה בפני אותם החוגים העשירים שהתחילו להתבולל בארצות העמים לשכוח את צור מחצבתם ולהתכחש לארץ אבותם. הוא הקדיש את עטו לכך וכתב את הספר „שפת אמת“ שהוא אחד הספרים החשובים והנעלים ביותר שנכתבו על נושא זה. ואכן פעולותיו לא היו לשוא. הרבה מתכחשים עמדו על טעותם והבינו שגם אם יחיו היהודים בשלווה בארצות נכר חובה עליהם לדרוש את שלום הארץ הקדושה ההיא ואת שלום יושביה כי זה אחד התנאים שבהם תלוי כל עצם קיומו של עם ישראל.

## ה

### אברהם נתן

עם ביטולו של בית המדרש „בית יעקב“ בירושלים, סמוך אחר פטירתו של ר' משה גלאנטי, השתרל ר' משה חאגיז למצוא גדיב שיקים בכספו בית מדרש אחר בירושלים. ואמנם הצליח להשפיע על גביר ידוע בשם אברהם נתן שיקבל על עצמו להספיק את הסכום הנדרש להחזקת ישיבה. א. אברהם בן חיים נתן, היה יליר שאלוניקי, עסק במסחר ותעשייה והתעשר עושר רב. בגיל העמידה התיישב ברשיד,<sup>44</sup> מרכז מסחרי בתקופה זאת. יהודי רשיד

<sup>43</sup> נספח א', אגרת י"ב.

<sup>44</sup> Rosetta ב.פה המערבי של הנילוס. ד"ר מ. ולנשטיין במאמרו על ר' משה עבאס („מלילה" א 57) כותב שאין חומר על תולדות היהודים בעיר זו במאה הי"ז אלא מתוך כתה"י של עבאס. אולם דוקא על תקופה זו שהיא תקופת הפריחה של העיר, יש חומר חשוב ורב בספרות השו"ת.

עד מלא שקר וכזבים . . . לכן מעתה . . . אנו חתומים בית דין גוזרין שלא ימסרו בידו שום מינוי . . . לא מהמדרש הישן של הגביר וויגה ולא שום מדרש או הסגר מחורש אשר [מזה] כמה ימים שמענו מנדרת כהר"ר אברהם נתן ושמענו הנער הלז מטפל לזה והרפים דף מתוכה שלא לשם שמים . . . אבל זה הנער מחריב ארצות גם חרבת צפת . . . לכן כל המחזיק בידי חוויא דרבנן . . . ישכנו נחש כי הוא נתון יד לפושעים".

על השפעת המכתב על חכמי ליורנו אנו קוראים באגרתם לחכמי אמשטרדם שבו הם אומרים כי ההתנגדות לחאגיז באה "על אודות השררה שהיה רודף אחריה להיות ראש ישיבה מהסגר של ר' רפאל די וויגה . . . וביד אלה נטורי קרתא כתב אחד מירושלים בגזרת חרם שלא ימסרו בידו שום מינוי".<sup>41</sup> אולם החלק המכריע של חכמי ירושלים הריץ מכתבים בזכותו של חאגיז. כנראה שגם בליורנו נתחלקו הרעות, והכחות המתנגדים נמצאו בשווי משקל. בשנת חס"ב גדלו הסיכויים להקמת הישיבה מחדש כי באותה שנה אנו מוצאים את חכמי ליורנו שולחים רץ מיוחד לא"י ובפיהם הבקשה למנות "ממונים ומורשים" עבור הישיבה. חכמי ירושלים בחרו ב"הגביר אברהם סולימה ובניו" שיעמרו "לימין משה זרוע תפארתנו", "למהר לשלחו . . . להחזיר העטרה ליושנה". הם מייצעים לצרף אתם את ר' סעיד ברדע. הם שלחו לאישים הנ"ל "שטר הרשאה" חתום ע"י חברי הישיבה לשעבר ורבני העיר, ומקויים בבית דין. על הפעולות שנעשו לאחר מכן לא ידוע לנו. אולם בסופו של דבר הצליחה הכת שכנגד לבטל את הדבר. ועל כך כותב חאגיז<sup>42</sup> בשנת חס"ז – במרירות לבו: –

"ולולי שאמרו: ריבך ריב ואת רעיך וסוד אחר אל תגל, הייתי מגלה מהגולות והחמסים שנעשו בקצת מהערים לכולל שבא"י . . . כאשר קרה להקדש הגבירים בני ויגה הנוכרים, שבין אותו הסך עשרת אלפים שהניח בליורנו ובין אותו הסך שנשאר בבנק של ויניציאה בין היורשים והאפוטרופסים שנתמנו עליהם וגבאי א"י שמינו הקהלה ההקדש זה היום כ"ה שנים ועד בפרט נאבד הקרן והפירות . . . והם לא כן נתן ה' להם לב לדעת ועינים לראות והיו כלא היו כאשר אבאר בארוכה על הספר ובריו העומד בשעתו וזמנו עוד מעט קט אם לא יתקן על צד היותר טוב בהצלה פורתא מיהא עסק זה של הגבירים בני ויגה הנז' להוציא לאור קצת ממה שטרחתי בו בעשר אצבעותי ולא נהנתי באצבע קטנה ואבדתי ימי ושני להחזיר עטרת התורה ליושנה".

עוול חמור זה שנגרם לו לרבי משה חאגיז גרם לכל אותה האגדרלמוסיה שנתחוללה אח"כ מסביב לחיון קאדרונו ואיליון. כשראה חאגיז שמתנגדיו הורסים

שלפניו הוא מזויף, כי בין החתומים נמצא גם ר' משה נ' חביב שנפטר בשנת תנ"ז, היינו שלש שנים לפני שנכתב המכתב. אבל נשאלת שאלה אחרת: כיצד העיו לעשות כדבר הזה בשעה שדבר מותו של נ' חביב נתפרסם מאד בנולה ואף יצחקי היה מפרסם הכחשה ע"כ. האם אפשר שדברי האשמה שמטיל חיון בספריו על יצחקי באו כתוצאה מהכחשתו של יצחקי? נראה שהדבר רחוק מן האמת.

<sup>41</sup> שם עמ' 599.

<sup>42</sup> שפת אמת, כ"ז ע"א



הם פנו אל יעקב אלזריש<sup>36</sup> חתנו של ויגה שנתמנה לאחר מותו לאפוטרופוס על כספי הישיבה, לעקב את מינויו של חאגיז. אלזריש הפסיק, כנראה בשל כך, לסלק את ההוצאות של בית המדרש. הישיבה התחילה להתפרק, הרבה מהתלמידים עזבוה ופנו לעסקים למצוא פרנסה לבניבתם.<sup>37</sup> תחילה חשב חאגיז כי רובם של רבני ירושלים העומדים לצרו יוכלו להכריח את האפוטרופוס לחדש את משלוח הכספים. אולם לאחר שעברו חמש שנים ולא נענו החליט לנסוע לליוורנו ולדפוק על דלתות בעלי הכסף.<sup>38</sup> הוא נסע דרך מצרים, כי שם היה צריך, לפקד ולהשיג על עסקי... אמו". במצרים בא במגע אישי עם אישים חשובים והשתדל לערבם בדבר. הם עודדו וחזקו את רוחו של חאגיז ועמדו לעזרתו במלוא כחם. כשנסע לליוורנו קבל אגרות מרבני קהיר, אלכסנדריה ורוויטה שבו הם פונים אל חכמי ליוורנו לבוא לעזרתו, ולמען ירושלים לא ישקוטו – הם כותבים – עד אשר יבנה ויכונן ההסגר הלו להשיבו לאיתנו; הם מבקשים לחייב את האפוטרופוס לתת את, ממוןהקדש להקדש התורה והמצוה כאשר צוה מר חמי ז'ל ויתן לכסף מוצא כרי שיתחדש ההסגר".

פעולותיו של חאגיז בליוורנו כמעט ונשאו פרי. אולם לפתע, בשנת תנ"ז, הריץ מספר קטן של חכמים מירושלים מכתב לליוורנו בחתימת ארבעה רבנים ששמותם אינם ידועים לנו.<sup>39</sup> היו אלה בודאי אנשי אותו חוג שגדרף ע"י משפחת חאגיז. במכתב הם תובעים מראשי הקהלה שלא למנות את חאגיז בשום תפקיד איזה שהוא לא רק על עסקי בית המדרש, בית יעקב" אלא גם על כל עניין אחר כי הוא, כסיל ובער". ולא רי שהחריב צפת בלשונו הרע אלא גם את ירושלים מבקש להחריבה".<sup>40</sup> ומעולם הכרנהו מחרחר ריב לשונו לשון אפעה נחש שרף ועקרב

<sup>36</sup> ויגה נפטר כנראה בשנת תמ"ב כי בשנת תס"ז כותב חאגיז, (שפת אמת, כ"ו ע"ב) שמלאו כבר לאבדן ההקדש, ע"י היורשים והאפוטרופסים, זה היום כ"ה שנים ועד בפרט; ושלא בצדק מסיק מכאן ריבלין, (ליקוטים' עמ' 45) שהישיבה התקיימה עשרים וחמש שנים.

<sup>37</sup> עיין נספח א', אגרת ג'.

<sup>38</sup> כשנסע ר' חזקיה דייסילווה לליוורנו ואמשררם בשליחות ירושלים טפל גם הוא בדבר, אולם אין בידינו פרטים על פעולותיו (עיין נספח א', אגרת ד').

<sup>39</sup> המכתב נתפרסם ב,מודעא רבה' ו,אגרת שבוקין' שהוציא חיון נגד המניח, בא"י לא נמצא שום טופס מספרים אלה וע"כ אינני יודע מה חכנים המדויק. ההבאות ממכתב זה הם עפ"י הקטעים המועטים שפרסם גרץ (חלק ח', ציון ו'). – רואנים שהבדיל בטעות בין בימ"ד זה לישיבת, בית יעקב" כתב (בספרו חלק ד', עמ' 344) כי הטעם למחלוקת היה ש,רבני ירושלים המחזיקים בהסגר בית יעקב התרעטו שאם יפתח הסגר ויגה מחדש יתמעטו הלימודים והתלמידים משיבתם על כן כתבו דברי נאצה נגד המניח".

<sup>40</sup> גרץ שם עמ' 509. כוונתם בזה היא בודאי על המחלוקת שהיתה בין קהלת צפת ודודו ר' אברהם גלאנטי (עיין להלן). – גרץ כותב שאחד החתומים על המכתב היה ר' אברהם יצחקי ו,שחותמי המכתב היו באמת אנשים חשובים ונקלים הם כתבו עליו מרורות כי פתח מכתבים ענשלוהו מירושלים לאמשררם כי פגע בכבוד חותנו הר"ר מ' (מלאכי' וכו'); ברם יצחקי חותם על אגרת אחרת בעד חאגיז (אגרת ז') שבה מגנים חכמיירושלים נמרצות את מעשיהם של אותה כת מבוטלת ומצד שני מכתב חאגיז מאד את יצחקי בכל ספריו. קשה איפוא ליישב סתירה זו. ושמה המכתב שנתפרסם במודעא רבה הוא מזויף, לכל הפחות בחלקו. או שמא מכתב זה

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ר' משה חאגיז ותעמולתו לטובת הישיבות בירושלים. הידיעות על גלגולי בית המדרש, בית 'יעקב' לאחר מותו של ה' משה גלאנטי בשנת תמ"ט משוקעות ב"ב מכתבים שנספחו לספר, שבר פושעים" שפירסם ר' משה חאגיז בשנת תע"ד נגד חיון, קארדו ואאיליון.<sup>34</sup> המכתבים האלה קרמו למחלוקת שפרצה בין חאגיז וספיחי שבתי צבי הנוכרים, ואין להם מגע ישיר עם גוף הפולמוס, אלא שמתנגדי חאגיז הוציאו מנרתיקם כתב פלסטר נגדו כתוב בידי אחרים ממנהיגי ירושלים ורבניה המתקפים אותו בקשר עם פעולתו לטובת חידושה של ישיבת 'בית יעקב'. כוונתם של מתנגדי חאגיז היתה להראות שמא ומקדם היה מחרחר ריב. לשם הגנתו ראה חאגיז צורך בדבר לגלל לפנינו את מגלת המכתבים שמתוכם יוצא שרבו מצדיקיו, וביניהם גם מתנגדיו כעת, ר' שלמה אאיליון. במכתבים אלה משתקף עמלו הכביר והממושך של ר' משה חאגיז לפתוח שערי 'בית יעקב' הסגורים ולתניח יסוד לשיבה חרשה. לאסונו תוך כדי פעולתו לטובת הישיבות הסתבך חאגיז בסכסוכים אישיים עם אחרים ממנהיגי ירושלים ורבניה שעלה בידם לשים לאל כל עמלו. על יסוד המכתבים האלה אנו ניגשים לתאר את פרשת מלחמתו של ר' משה חאגיז לטובתו בתי המדרש בירושלים.

בסוף ימיו של גלאנטי נתגלעו כנראה סכסוכים בתוך בית המדרש שסיבתם לא ברורה. אפשר שרצו להכנס אליו יסודות שנטו אחר ש"צ ושבימי ר' חאגיז הקנאי העז לא העזו לעשות זאת. עם מותו של גלאנטי התפתחו הדברים בצורה יותר רצינית והביאו לבסוף לחיסולה של הישיבה כליל. תחת גלאנטי היה צריך להתמנות נכדו ר' משה חאגיז. בשל דעתו התקיפה וקנאותו מצא כנראה התנגדות מצד אותו המיעוט שנחשב בנטיה אל כתתו של ש"צ. 'יתכן שאלה הם הרבנים שטענו שאין לקבל את מועמדותו של חאגיז מאחר שנמצאים בירושלים, גדולים ממנו'.<sup>35</sup>

<sup>34</sup> שבר פושעים וחטאים... הני תלתא דפורענותא: חיון, קארדו, אאיליון – בנימטריא פושעים', (מתוך שער הספר). הספר הוא בלא סימון הדפים ויש בו כמה חלקים, כל חלק נועד כנראה לחלקו לקהל בפני עצמו. האגרות נמצאות בחלק האחרון בדפים [מד-נה]. למרפורנו ולבריא, למשל, שלח חאגיז תחילה את המכתבים האלה בלבד. על דרכי הפצתם הוא כותב: וכל מה שמצדנו נדפס אני הייתי נותנו בחנם בלא כסף ובלא מחיר ומחלקו תחלה על אנשי העיר ואח"כ משלחו לחוץ כדי שאם יש אתם טענה שיעריכו אותה ויבחנו נא דברינו תוך לעיר. ועיין בחליפת המכתבים בין ר' משה חאגיז ור' שמשון מרפורנו מאנקונא שפירסם ישעיה זנה, קובץ על יד, סדרה חדשה, ספר ב, עמ' קפה). – מפני ריבוי החומר על הרבה מהאישם הנוכרים באגרות לא אתעכב כאן אלא על אלה שהידיעות עליהם הן מועטות ועל אלה שאינם נודעים משום מקור אחר.

<sup>35</sup> מוכח מתוך דברי חכמי ירושלים (נספח א, אגרת י"א): 'וברוך ה'... אשר לא השבית גואל להרבנים הנו' כי לו נאה ולו יאה ולו תיאות המלוכה בדניא ובדיינא... הוא קודם לכל אדם אעפ"י שיש גדולים ממנו גם בנרון דידן שבח לאל יתברך שהחכם הנו' ממלא מקום אבותיו ביראה ובחסידות'.

והפרנס המהולל ר' רפאל מרדכי מלכי, הצטרף בעת בואו לירושלים לחבורת בית המדרש.<sup>28</sup> תלמידים אלו הם הם שניהלו אח"כ את הקהלה בירושלים והשפעתם על עיצוב דמותה היתה מוחלטת. אין ספק שאם הורם מצב התורה בא"י לנובה שרק עם תקופת גירוש ספרד היה כמותו. תקופה זו היא תקופה עשירה ביותר בתולדות הספרות הרבנית, הן ספרות השו"ת והן ספרות הדרש. והרבה מספרים אלו משמשים עד היום כספרי יסוד בהלכה ונלמדים בישיבות שבכל העולם. הדור ההוא הקים תלמידי חכמים מפורסמים בתורה ובחכמה שמלאו תפקידים חשובים בחייהם של הקהלות היהודיות במזרח. גדולי ישראל שקמו לאחר זמן זה בירושלים (מבית המדרש, בית יעקב פ"ר ה) קבלו את תורתם מפי תלמידי הישיבה הזאת. שמה של הישיבה התפרסם בכל תפוצות הגולה. רבני מצרים מודיעים באגרותיהם לקהלות ישראל כי בית המדרש, היה משקה מימיו נאמנים לכל באי עולם וממנו יוצאה אורה לעולם במקום היכל דברי ואולם יפרצו מעינותיו וילכו יונקתיו ויפרחו פארותיו במעיני החכמה והשקה את כל פני האדמה";<sup>29</sup> ונתקיים... בימים ההם כי מציון תצא תורה וגו' כאשר מפורסם לרבים כי מציון הלך באמת יצאו תלמידים הרבה שהיו גדולי ישראל בעלי הוראה שרי חמשים ושרי מאות ושרי אלפים אלופינו מסובלים אשר קצת מהם ומתלמידיהם... חיים עד הנה ועוד שנים רבות יחיו ונרם לא יכבה".<sup>30</sup> יהורי הגולה נשמעו להוראות שיצאו מבית הדין שבירושלים, שנתרכו בתוך בית המדרש הזה, ואליו פנו חכמי ישראל שבתפוצות.<sup>31</sup> אפשר אולי לומר כי בית המדרש, בית יעקב היה בזמנו בית המדרש הגדול ביותר במזרח.

על מאורעות מיוחדים שעברו על הישיבה מימי ייסודה ועד מותו של מנהלה הראשון ר' יעקב חאניז בשנת תל"ד אין אנו יודעים. אולם ידוע כי כמה מחברי בית המדרש הזה היו מתנגדים חריפים לשבתי צבי ולשיטתו ועמדו בקשר לכך עם חו"ל. ויש להניח שלא נמצאו בין באי בית המדרש תומכים או אוהדים לכת הנ"ל. אף על פי, שכאמור, היה נתן העזתי נביאו של ש"צ, מתלמידי בית המדרש. ר' משה גלאנטי, חותנו של ר"י חאניז, שניהל את הישיבה משנת תל"ד עד יום מותו בכ"א שבט שנת תמ"ט,<sup>32</sup> היה אמנם תחילה בין אלה שהתנגדו לנקוט בפעולות ממשיות נגד ש"צ ואולם אח"כ היה אף הוא בין אלה שרדפוהו ובקשו להשמיד את כתתו.<sup>33</sup>

<sup>28</sup> חנן אלהים, שם, דף קמ"ט. <sup>29</sup> עיין בנספח א. עמ' כ-כא.

<sup>30</sup> שפת אמת, שם, והשווה דברי מלכי לעיל עמ' ד.

<sup>31</sup> בשו"ת. קול גדול, אנו מוצאים שאלה ששלחו מהם מעיר ברוסא העיר המהוללה יע"א אל ציון עיר אדלדנו אל בית דין הגדול שכל שכה... (סי' ס"ח, ליט ע"א).

<sup>32</sup> קרבן חגיגה, הקדמה: והתורה נשכחת ממני בעצלות ידים וטרדות הזמן ועול הצבור ועול החברים והתלמידים המקשיבים לקולי בבית המדרש הגדול ה"ה מדרש בית יעקב. עיין גם בהקדמה לו, ובח שלמים: היום שלמתי נדרי שנדרתי בשנה שעברה להיות קובע את יום הששי לכתובה... ממה שהיה מתחדש אצלי בשאר ימי השבוע בלומדי ספר עם התלמידים בני הס' ועם החברים אלופי ורעי המקשיבים לקולי כי הם בעזרי... והגדר הנזכר יהיה נמשך עוד שנה תמימה מהיום יום הששי מסדר ויקרא אל משה תמו' עפ"י התנאי המוזכר בנדר השנה שעברה: - על שנת פטירתו עיין. שפת אמת, יח ע"ב.

<sup>33</sup> תולדות חכמי ירושלים, ח"ב עמ' 59.

משפטי צדק של ר' שמואל גארמזיאן, שהיה אחר מהוקנים, בתשובותיו של ר' יעקב מלכו (כתביד חיד"א) ובתשובותיו של ר' משה נ' חביב שהיו תלמידים באותה ישיבה, אף-על-פי שאין בידניו כל תשובותיהם. בוראי אם יתגלו תשובות נוספות של החכמים הנ"ל או של שאר חכמי הישיבה ותלמידיה עלולים אנו למצוא את אותה התופעה. ראוי לציין גם כי אחת מתשובותיו<sup>20</sup> של ר' משה נ' חביב, זה, תלמיד ביהמ"ד, שנברקה ע"י הוקנים מנתח אותה ר' שמואל גארמזיאן ומתוכה רואים אנו יפה את השאיפה לחנך את התלמידים ב„אופן וסדר הכתיבה“. הנה כי כן הוא כותב: „וכתב על זה כמו שהובא בגמ' וכו' וזה לשון נער ובער דהכי הול"ל (=הזה) ל' למימר) כדאיתא בגמ' וכו', דמלתא דהובא מפוסק זה לפוסק אחר שייך לומר הביאו פלוגי וכו', אבל מלתא דאיתא בגמ' שייך לומר כדאיתא בגמ' " וכן עוד ביטויים שכאלה. ר' משה נ' חביב עצמו הורה אח"כ בביהמ"ד והיה לתלמיד-חבר של רבותיו כמובח משאר התשובות שהשיב ר"ש גארמזיאן אליו ובהן הוא נוהג מלפגוע בכבודו.

## ג

מורי ביהמ"ד ותלמידיהם. החכמים והתלמידים ששימשו בבית מדרש זה, היו כפי שראינו מגדולי התורה. מלבד ר' שלמה אלנאי, ר' משה גלאנטי, ר' אברהם אמיגו, ר' אברהם אבן חנניה ור' שמואל גארמזיאן נמנו כנראה בין הוקנים גם ר' יצחק בוטון,<sup>21</sup> ר' יעקב מלכו ועוד חכמים אחרים החותמים על האגרות שבנספח. מבית מדרש זה יצאו גם תלמידי חכמים ידועי שם. ונוכר את הירועים לנו: ר' משה אבן חביב שישב על כסא הרבנות בירושלים, מחבר ספרי הלכה המשמשים, בעיקר בענייני אישות, מקורות חשובים ביותר; ר' יוסף אלמושנינו,<sup>22</sup> רבה של קהלת בילגוראדו ומחבר ספר תשובות „ערות ביהוסף“; ר' חוקיהו דייסילוא בעל הספר „פרי חדש“,<sup>23</sup> שהוא אחד החיבורים היסודיים על השלחן-ערוך; ר' חיים אבואלעפיה;<sup>24</sup> בונה טבריה; ר' דוד הכהן;<sup>25</sup> בעל „רעת קדושים“; ר' יוסף בן מרדכי הכהן;<sup>26</sup> נתן העזתי;<sup>27</sup> ור' משה חאגיז. אף הרופא

20 שו"ת „משפטי צדק“, ירושלים תש"ה, סי' נ"ב, קול גדול לרמב"ח, ירושלים תרס"ז, סי' ע"ז, מ"ט ע"א. כאן הושמטו הדברים שיבואו להלן.

21 חתום יחד עם החבורה הזאת על אגרת אחת שהיתה בכת' בידי הרב חיד"א (שם הגדולים, ערך שמואל גארמזיאן).

22 משנת חכמים, סי' תרכ"ב, קי"ט ע"ד. כמפורסם שהרב הגדול מהר"ם בן חביב ז"ל... א"א ז"ל הוא שמשון כץ והיה תלמידו מובהק... והרב המובהק מוהר"ר יוסף אלמושנינו אב"ד בק"ק בילגוראדו ז"ל היה מחלוצי צאצאי מדרשו בית יעקב.  
23 שה' בערכו.

24 חנן אלהים, חיים אבואלעפיה, אומיר תצ"ח, קונטרס התקנות, תקנה י"א.

25 עיין מש"ב, סיני' שם עמ' ש"י.

26 שהביא לרפוס, בשנת תס"ח, את הספר „זבח שלמים“ לרבו ר' משה גלאנטי. עיין בשער הספר. אחד מתלמידי בית המדרש הגדול אשר היה בירושלם ע"ק תו"ה החכם הנעלה... יוסף בכמה"ר מרדכי הכהן זלה"ה; שם ב' ע"ב אומר ר"מ חאגיז: „שמח לבי... כאשר ראיתי לאחד מתלמידי בית מדרשו מדרש בית יעקב אשר היה בירושלם“.

27 רחאנים, קורות היהודים בתורכיה, חלק ג'.

זה היה הוא גם ראש, בית המדרש בחברת רבני ההסגר<sup>16</sup> כולם, ויש להניח שגם אותם החכמים הנזכרים למעלה נכללו בו. מה היה אותו מעמד ומה היה תפקידו למדים אנו מדבריו של מלכי. כבר ראינו שמלבד הרבנים שהרביצו תורה בתלמידים היה סוג אחר מיוחד, הם, "הוקנים", שתפקידם היה יותר כללי ויותר נכבד. יש איפוא לראות מזה כי החכמים הנזכרים בקטע שלפנינו הם הם שמילאו את אותו התפקיד ממש. ועל פי זה נוכל אולי גם לפתור את ראשיהתיבות, הב"ה, היינו – בית הועד?

ויש ראיות נוספות המראות לדעת כי התכנית של מלכי מושתתת על יסודות שיטתו של חאגיז: –

ובכל יום ששי – כותב מלכי – ילכו אל הרב הגדול והרב נותן שאלה אחת לתלמידים ושאלה אחת לכל החכמים ובאותו יום כותבים תשובתו, וכדי שיהיה להם פנאי לעיין בה היה הרב נותן השאלה מערב יום ה' ובלילה כל אחד מעיין בה עד מקום שירו מנעת וביום השבת כלם מתכנסים ונושאים ונותנים בתשובה כל אחד ואחד מביאה כתובה בספר, ככותב פסק אחר, ואח"כ אחר מהחכמים, העשרה הגדולים ולא התלמידים, דורש ביניהם כל א' א' שבת א' על הסדר, ואחריו דורש קטן אחד מהתלמידים להדריכם בפסק ובררשה, וקודם שיבואו החכמים באים התלמידים וקוראים עם התלמידים מדרש, וכיון שנאספו כלם הולכים אלו ואלו לישא וליתן בפסק ובררשה.

שיטה זו לקוחה בלא ספק מבית המדרש בית יעקב ויעידו על כך דברי ר' יעקב חאגיז: "ראה ראיתי לכתוב מקצת משאלות שנשאלו בבית מדרשנו, המדרש הגדול בית יעקב, מרי שבת בשבתו. ולהיות בלתי אפשר להאריך בכל א' כרצוני, אכתוב מה שעלה במחשבה בקצור נמרץ בדרך אפשר שדנין אפשר משאי אפשר והשתדלתי לכותבם בקיצור הלשון היותר אפשרי... לחרר לתלמידים שיבקשו מקור הדין ואמיתותו בדבריו".<sup>16</sup> וכן בהקדמתו לחלק השני: "ואקח... מעט ממה שנשאל מידי שבת בשבתו בבית מדרשנו זה נקרא בית יעקב ומקצת ממה שנתחדש אצלי מידי עברי יום יום... והודעתי נאמנה כי דברי אלה קטנים הם בערכם שלא באו בשלמות כדרך כותב תשובות לשאלות, שביום ששי היו נשאלות והיום קצר לעיין כל הצורך ואם לא יועילו להלכה והיו לעורר לב הצעירים אשר כמוני ולב התלמידים לחרודי בעלמא".<sup>17</sup>

והנה כבר הוכחנו במקום אחר,<sup>18</sup> על ידי השוואה מרוייקת בספרות השאלות והתשובות של חכמי ירושלים באותה תקופה, כי רוב השאלות הנמצאות בספר "הלכות קטנות" של ר"י חאגיז<sup>19</sup> נמצאות באותו הנוסח כמעט מלה במלה בספר

<sup>16</sup> הקדמה לשו"ת הלק"ט, חלק א'.

<sup>17</sup> השוה דברי ר' משה גלאנטי בספרו. קרבן חנינא (וינציאה ת"ס, נ"ה ע"א): "כמהר"ר יעקב חאגיז גר' בקש לעורר את החברים הסרים אל משמעתו בבית מדרשו הטהור והקדוש בבית מדרשו של שם ועבר כמה שרבים בתורה ובראשם הראב"ע ו'ל נתקשו...".

<sup>18</sup> עיין: ר' שמואל נארמיאן ותקופתו בירושלים, עמ' 3-4.

<sup>19</sup> בעיקר בחלק א', שכן בחלק ב' הוסיף, כפי שהוא מציין, שאלות שנתעוררו אצלו באופן מיוחד.

ב. בנו ר' משה חאגיז מוסר לנו פרטים נוספים:

וא"א (=ואדוני אבי) ז"ל היה משתדל בכל עז של תורה עם התלמידים שהיה לו בבית המדרש ומפריז להם מעות כרי שישנו את כל הש"ס בעל פה, ויש מהם שעלחה בידם, ויש מהם שזכו במקצת, ויש מהם בשני סררי[ם]. גם היה מתאמץ ומתעמץ עם קצת מהם לעשות באופן זה בהלכות הש"ס כמו שהובאו בתלמוד ערוך ובקצת מהן בפסקי השו"ע ובקצת מהן בהלכות הרמב"ם ז"ל. ומרי הרב המפורסם מר זקני ז"ל היה אומר שכל סדר לימודו של א"א ז"ל עשה והצליח ועלו ובאו בידו כמה וכמה מהם שכמעט כל התלמוד היה שגור בפייהם כקורא את שמע וכמה וכמה בפסקי דינין הנזכרים היו בקיאים בהן ובאותיותיהם דבר אשר לא ישוער ולא יאמן כי יסופר לא שהוא היה רואה בעיניו הסדר וההנהגה, וההבחנה שהיה לו בתלמידים כרי להכיר ולהבחין כח כלי הזכירה של כל אחר ואחר עד היכן היתה מגעת ולהיכן היתה נוטה, רהיה בהם מי שראוי למשנה ולא לגמרא, לגמרא ולא לפסקי דינין, ולכל אחר היה ממנה אותו על אותו פרט שבכח רמיונו והשערת שכלו היה נוטה באותו תלמיד שאותו פרט יקבל אותו ויעמוד בידו, וכאשר היה מרמה כך היה עולה לו, ובכל אשר היה עושה ה' מצליח בידו.<sup>14</sup>

ג. הוא כותב גם על לימודיהחול:

כל מי שכבר למד תחלה תורת אלהינו... צריך הוא שילמוד קצת ספרי חכמות שהן הכרחיות להבנת דברי רז"ל... הנצרכים לעסוק בהם בהגיונות במספר והנדרסה בטבעיות ובאלהות... בתנאי קודם למעשה שימלא תחלה כריסו מסם חיים והוא למוד תורתנו.

ר' משה חאגיז לא כתב את דבריו במיוחד ולא חשב ליתן תיאור מדויק מצורתו הרוחנית של בית המדרש אלא כתב את דבריו רק בדרך אגב בשעה שרן על נושאים מסויימים שיש להם קשר איזה שהוא עם הדברים. לעומת זאת מלכי רן בפרטות בנושא הזה. על כן אין אנו מוצאים בדבריו של חאגיז הרבה פרטים שנוכרו אצל מלכי. אולם בפרטים מסויימים אנו מוצאים הקבלות בשני המקורות. ובייחוד בולטים הקווים המשותפים כמה שנוגע להנהלת בית המדרש.

אם נשים לב לקטע קטן מספר. הלכות קטנות<sup>15</sup> של ר"י חאגיז שנכתב ע"י בנו משה, נראה את הדמיון שבדברי שני המקורות, ואלה הם דברי הקטע: זכורני כמה פעמים בישבה ה"ה הוא - ר' יעקב חאגיז - ז"ל בחברת הרבנים המובהקים גדולים ועצומים כמהר"ש אלגזי כמהר"א אמינו וכמהר"ש גארמזאן ולה"ה ואף בבית המדרש בחברת רבני ההסגר כולם.

חכמים אלה שהוא נוקבם בשמותם היו גדולי התורה בירושלים שנצטרפו לחנונו של חאגיז (אותם הוא מזכיר גם במקום אחר שהוא למעלה), והיה להם כפי שמתברר מכאן מעמד מיוחד במינו. ר"י חאגיז עמד בראש אותו מעמד. יחד עם

<sup>14</sup> שם סי' ש"ע, ע"ט ע"ד.

<sup>15</sup> חלק א' סי' צ', א' ע"ב.



בכל שבוע. מטרת הבחינה היא כפולה: „להטיל מורא על התלמידים שילמדו כראוי“ ו„שיהיו התלמידים עוסקים בכל כחם בתורה“. הבוחנים יוכלו לפסול את התלמידים שיכשלו בבחינה, וגם להעביר את הרב אם „אינו מתנהג כראוי“ עם התלמידים.

התלמידים ילמדו בכתה מסויימה – מבלי שיש לב לזמן קצוב – עד שיעברו על חומר הלימודים הקבוע לכתה ויעמדו בו בבחינה. סדרי הלימודים יהיו על-פי סדר השלחן-הערוך. בכתות הנמוכות ילמדו שו"ע, אורח-חיים ויורה-דעה ובגבוהות את אבן-העזר וחשן המשפט. המסכתות של הש"ס יקבעו על פי שייכותם להלכות שבשו"ע. – כל מחלקה נקראת בלשונו „שלחן“, וזה סדרם:

שלחן ראשון. – משנה מששת הסדרים; גמרא, מסכת ברכות; תורה עם פי' רש"י ושו"ע אורח-חיים, דיני ברכות. ואין עולים ממנה עד שילמדו התלמיד... וידע אותם הדינים מעצמו לקרותם בלא רב.

שלחן שני. – „שלחן סדר זמנים“. גמרא, סדר מועד; שבת, עירובין, פסחים וכו'. ואין עולים לתלמיד ממנה עד שידע אורח חיים כמעט על פה.

שלחן שלישי. – „שלחן איסור והיתר“. גמרא, מסכת חולין וכו'; רובו הגדול של שו"ע יורה דעה „ואין עולים ממנה עד... ששואלים לו בטרפות והוא עונה, שואלים אותו בדני התערובות והוא עונה.“

שלחן רביעי. – „שלחן סדר נשים“. גמרא, מסכת גיטין, קרושין, יבמות, כתובות וכו'; כל שו"ע אבן-העזר והפוסקים „ובה למדים כתיבה וספרות ושני מלמדים עומדים להם בתורה זו אחר מלמד לתלמידים להיות סופרים ואחר מלמד אותם... לשון ספרדי וכתב ספרדי ועמו חשבונות וחכמת התשבורות.“

שלחן חמישי. – „דיני ממונות“. גמרא, סדר נזיקין; שו"ע חשן-משפט. מי שישלים את למודיו ישמש „לעשרה החכמים הרבנים ויהיו רואים איך נותנים פסק דברים ואיך דנים את העם ואיך משפט הגט והחליצה וכל משפט הדיינים“. עם התמחותם במקצוע „מושיבים אותם דיינים ומלמדים ומעלים אותם במקום רבם, ואם בחו"ל יצטרכו חכם הקהל שאין להם ישלחו בעדם ונותנים להם תלמיד ששמש כל צרכו וראוי להיות ריין וראש קהלה.“

מצד שני, אנו שומעים על שיטתו של ר' יעקב חאגיז ודרכו בהוראה:

א. „העצה הנכונה כל מי שנתן לו הי"ת בן ורוצה להיות זוכה בו... אחר שיהיה כבר שית כבר שבע ולמד תורה נביאים וכתובים יכניס אותו בלימוד קבוע בגמרא עד שיהיה בן עשרים שנה ויתמלא כריסו מבקאות ופלפול... והנהגתי מנהג זה גם בע"ק ירושלם תוב"ב... זהו למי שחוננו הי"ת נתן לו ולבנו הכנה שיהיה דוקא בעל תורה אבל בכללות הלומדים בת"ת, היותר טוב שיעצתי לאבות הבנים ולמלמדים הוא שער שיהיו בני מצוה שיתעסקו עמהם] בתנ"ך עם פרש"י ז"ל מדרשות והגדות ופסקי דינים מההלכות הנצרכות לצורך הנהגת היהדות בעבור[ה] ובירא[ה] ושנים ושלושה ימים בשבוע ללמוד עמהם קצת משנה עם פי' רבינו עובדיה ז"ל ומעט גמרא עם פי' רש"י ז"ל.“<sup>13</sup>

כל הגולה ויחזיר להם נחלתם ויבנה ביתם כבתחלה".<sup>10</sup> רעיון זה פעל על לב רבים. חכמים מפורסמים וראשיישיבות בחוץ-לארץ הניחו את כל כבודם ועלו ובאו לירושלים. אנו מוצאים בתקופה זו הופעה שאין דוגמתה בתקופות אחרות והיא כי החלק המכריע של רבני ירושלים מילאו לפניכן תפקידים חשובים בחו"ל. יש לזכור שבאותם הימים עברו על היישוב הגלים המועזים הירועים, וריבוי גדולי התורה בירושלים מעיד על שאיפה כזאת. לעומת זה עדים אנו לזרם של תלמידי חכמים שקבלו את תורתם בירושלים שהולך ומשתפך לגולה וממלא שם תפקיד חשוב ברבנות ובהנהגת הקהלות.

## ב

סדרי בית המדרש והנהלתו. מתוך צירופים של ידיעות שונות ניתן לנו לעמוד על סדרי הלימוד של ביהמ"ד ועקרי הנהלתו:

ר' רפאל מרדכי מלכי, חותנו של ר' משה חאגיז, הציע בשעתו תכנית לייסוד בית מדרש לרבנים בירושלים.<sup>11</sup> הוא כותב כי: "תיקון זה וקרוב לו היה בירושלים זה ימים והיו מספיקין בה שנים או שלשה בעלי בתים שבאמשטרדם וליגוריה (=ליוורנו) ומאותה (צ"ל: ומאותו) מדרש נתרבה התורה בירושלם אחר חרבן צפת<sup>12</sup> שיחזירה הקב"ה לאיתנה. ועכשו בעוונותינו שרבו נחרב בית המדרש... וכמעט שאין היום ת"ח בא"י. מ.תיקונו" של מלכי אפשר איפוא לעמוד על טיבו של "אותו המדרש" שקיבל הספקתו מבית וויגה, "בעלי בתים שבאמשטרדם וליגוריה". ומה היא תכניתו של מלכי?

בבית המדרש יקבעו מקום לתלמידים צעירים ותלמידי חכמים. תלמידי החכמים יחלקו לשני סוגים, חלק מהם יטפל ב,צורכי העיר וצורכי כל הגולה משיבים בשאלות הבאים להם מחוץ לעיר ממקומות הרחוקים שבחו"ל" והשאר ירביצו תורה בתלמידים. בית המדרש הוא גם ביתהתפלה. לאחר תפילת שחרית יכנסו כל באי ביתהמדרש, "יחד לפלפל שתי שעות בהלכה". ואח"כ יכנס כל מורה ומורה למחלקתו וילמד את תלמידיו "עד הלילה". הזקנים ימצאו "כל אחד ואחד בחדר המיוחד לו באותו מדרש וועד החכמים" ויעסקו בתפקידם. בראש בית המדרש ימונה רב, הגדול שבחבורה, ועמו יבואו, בעיקר "הזקנים", במגע תמידי. סמכותו של רב זה תהא גדולה: אם ימצא שאחד הזקנים אינו מתאים לתפקידו "מסיבה גרועה" יעביר את אותו, החכם... שנמצא בו דבר שלא הוגן". שנים מהזקנים יבחנו בכל יום חמישי את התלמידים בלימודי השבוע. הבוחנים יתחלפו

<sup>10</sup> ר' רפאל מרדכי מלכי, "לקוטים" מפי' על התורה, חוב' א', ירושלים תרפ"ב, עמ' 41, 45. אם כי דבריו נאמרו על דעת עצמו יש לחשוב שהם מביעים גם את השקפת בני דורו בירושלים.

<sup>11</sup> שם עמ' 44.

<sup>12</sup> אפשר שכונתו על טבריה (?) שלאחר שנת ת' נתדלדלה מאד ובשנת ת"ך לערך נחרבה. בטבריה היה עד אז ביתמדרש גדול שנוסד בכספי משפחת אישפריאל.

הסדרים למופת ששררו שם. חברת, תלמוד תורה" שבשאלוניקי לא הצטמצמה בבית ספר לילדים וצעירים כי אם הקימה בית מדרש שבו היו לומדים מגיל צעיר ביותר עד אשר השתלמו בלימודים והוסמכו להוראה. מלבד לימודי קדש קבלו התלמידים שם הוראה בדרך ארץ ולימודי חול הנצרכים לחיי יום יום. על יד ה.תלמוד תורה" היו קיימים בתי מלאכה, וידוע הוא בית הרפוס של החברה שבו נרפסו ספרים שונים. בעלותו לארץ ישראל ביקר ר' יעקב חאגיז במקומות שונים בתוגרמה, פירסם ברבים את תכניה של הישיבה הגדולה בירושלים והזמין לשם גדולי הרבנים ותלמידיהם. תעמולתו עשתה פרי. כאשר פתח את הישיבה בירושלים התלקטו אליו תלמידים וחכמים לא לבד מירושלים כי אם מכל רחבי מלכות תוגרמה. בית המדרש נקרא בשם "מדרש בית יעקב" על שמו של ר' יעקב חאגיז.<sup>8</sup>

בתי המדרש בירושלים בכלל היו, כידוע, מקור לכלכלתם של התושבים, ואין ספק שהאמצעים הכספיים הגדולים שהובטחו להחזקת ישיבה זו גרמו לשיפור ניכר בשטח הכלכלה. "מדרש בית יעקב" הביא איפוא ברכה לא רק בחיי עולם כי אם גם בחיי שעה. ומאחר שתנאי החיים, הן בחומר והן ברוח, הלכו והוטבו, הורדו רבים לעלות לירושלים ומספר אוכלוסיה גדל.

נאמנים דברי ר' משה גלאנטי, מגדולי העיר שאומר: "שמים שבא - ר"י חאגיז - לעיר קדש ירושלם ת"ו נתברך[ה] באוכלוס' ונתישב" העיר וקפצו עליה גדולי ישראל כמו הגאון המפורסם מוהר"ש אלגזי ז"ל והגאונים מוהר"א חנניא ומוהר"א אמינו ומוהר"ש גרמזאן.<sup>9</sup>

היתה אז התעוררות לעשות את ירושלים מרכז לגולה. הובעה הרעה כי יש לקיים את התורה בא"י ובפרט בירושלם עה"ק, כי ממנה תצא תורה לישראל שנאמר כי מציון תצא תורה ודבר ה' מירושלם" וראו כחובה על בני הגולה, לדרוש את ירושלם תמיד ולהרביץ בה תורה בישראל כדי שבזכות זה יצליח הקב"ה את

■ עיין נספח א, אגרת יא. וכן ב. משנת חסידים" סי' תרכ"ז, קי"ט ע"ד, ובהקדמה לשו"ת הל'ק"ט (אמשטרדם תס"ד). החוקרים סבורים שישבת. בית יעקב" היתה לא זאת של וינה אלא של פיריה מאמשטרדם. כך למשל כותב פרומקין: חאגיז. לא מש מאהל התורה מבית המדרש הגדול, בית יעקב פיריה. בימים ההם התחתן עם הרב גלאנטי... והאחים הנבירים למשפחת וינה מליוואני התנדבו להחזיק בירושלם ישיבת תלמידי חכמים על חשבונם והוא - חאגיז - היה שמה לראש' (תולדות חכמי ירושלים, ב, עמ' 16, 62 ועיין גם ריבלין במלואים עמ' 18). טעות זאת הביאה לידי כמה השערות מוזרות (כגון רחאניס, חלק ד' עמ' 344; עיין להלן) ולא ידעו כי ישיבת בית יעקב פיריה נוסדה שנים רבות אחר מותו של חאגיז, בעת שהיה ר' אברהם יצחקי באמשטרדם.

■ דבריו נמסרו ע"י נכדי ר"מ חאגיז ב. משנת חכמים" סי' תרכ"ד, דף קי"ט ע"ב. על אישים אלה עיין מש"כ בספר, הזכרון' לרב' הרב קוק, ירושלים תש"ה, עמ' ש"ח-ש"ז=סיני' כרך י"ז, ש"ד-ש"ט; קרית ספר', שנה כ"א עמ' 313-315. - ר"ש אלגזי עלה לא"י בפעם השניה בשנת ת"ל לערך; ו' חנניה - בשנת ת"ד לערך [בשנת תט"ו ר"י חאגיז היה עוד בליוורנו]. נאמניאן חור לא"י ממאלטה לפני שנת ת"ך.

חאגיז אשר השפעתו על הגבירים מבית וויגה היתה גדולה, והניח את חותמו על בית המדרש.<sup>3</sup>

ר' יעקב חאגיז נולד, כנראה, בפאס שבמרוקו,<sup>4</sup> ועוד בהיותו בצפון אפריקה, בעיר מולדתו, בוראי הגיעו לאוזניו הידיעות על דבר ההרפתקאות שעברו על יהודי ירושלים.<sup>5</sup> כנראה שהחליט לעלות לארץ ישראל ולהתיישב בה ישיבת קבע, אלא שבדרכו לא"ס לאיטליה, אולי בכוונה להדפיס שם ספריו. מתי עזב את עיר מולדתו וכמה זמן שהה באיטליה – דבר זה קשה לקבוע. אנו יודעים שבשנת ת"ז כבר היה בוירונה והשנים שבין ת"ז–ת"י עשה בליוורנו.<sup>6</sup> ויש רגלים לדבר שהיוזמה להקמת בית המדרש הגדול בירושלים ממנו יצאה.

ר' יעקב חאגיז היה גדול בתורה ומבין בהווית עולם. נוסף על זה חונן בכשרונות פרדוגיים מובהקים. בדרכו לאיטליה (?) עשה זמן מה בשאלוניקי,<sup>7</sup> מרכז התורה של יהודי המזרח אן, התבונן בישיבותיה המרובות ועמד מקרוב על

<sup>3</sup> עיין, משנת חכמים' לר' משה חאגיז (ואנובך תצ"ג, סימן שנ"א, דף ע"ו ע"ג): "וכמה זכיה יש להם לאותם שמעמידין ישיבות ובתי מדרשות ומפרישין מממנם נדבה לה' לא לבד ללומדים המלמדים תינוקות אלא גם קובעין שכר לתנוקות שהם לומדין בת"ח, מידי שבת בשבתו, כמו ששמעתי שכך נוהגין בעיר ואם בישראל רבתי בדעות שרתי במדינות הק"ק חברנת] ח"ת שבשאלוניקי... שמהם למד א"א ז"ל להשיא עצה טובה להגביר המנוח כה"ר אברהם ישראל וויגה ז"ל שירבנו לבו לנמור המצוה... במה שקבע פרס גם לבני עניים... ועשה ביתר שאת נדבה לשם ה' והפריש חלק הגון כדי לחלק בין התלמידים מידי שבת בשבתו ומידי שנה בשנה בחנוכה להלביש אותם מכף רגל ועד ראש גם לרבניהם... ושכר עושה ומעשה יהיה לא"א ז"ל על השגחה פרטית שהיה לו עם המלמדים והתלמידים לקרב להם הנאת גוף ונפש; השווה דבריו ב"שפת אמת" (אמסטרדם תס"ז, כ"ו ע"ב): "הגביר כה"ר אברהם ישראל וויגה ואחיו הגביר יעקב ויגה זל"ה (שזיהו הם הראשונים שבאמצעות... הגאון המיוחס שהרביץ תורה בישראל אדוני אבי זל"ה נטעו אשל בבאר שבע זו ע"ק ירושלים ת"ו וקבעו הסגר שהיה בית ועד לחכמים כמצטרך בכל סיפוק הח"ח והתלמידים' שהיו בו כדי שלא תהיה דעתם מטורפת אחר פרנסתם".

<sup>4</sup> הדעה המקובלת על החוקרים היא כי חאגיז נולד בליוורנו. הרב י. מ. טולידאנו משער שעיר מולדתו היתה ירושלים (גור המערב' עמ' ק"י; אחריו נמשך הרב י. ל. הכהן פישמאן, ב"החור' שנה ט', גליון 17). אולם מסתבר שהוא נולד בפאס, מקום ש נדדה משפחתו בברחה מספרד ושהוא מקום מולדת אביו ר' שמואל. ובוראי שלא נולד בליוורנו וזה יוצא מדבריו אלה שנכתבו בשנת ת"י: "לשמע און הדפוס המפואר מקרוב נשא נס בליוורנו באתי אולי יישר בעיני ה' להשלים חפצי... שאדפיס חבור המשנה אשר זה כמה ימים החלתי [בווירונה] ולא אסתייעא מלתא" (בסוף ספר, ברית אברהם' לר' אברהם גדליה, חלק א'). נוסף ע"ז אם היה הוא יליד ליוורנו היה בוראי מצ"ן זאת.

<sup>5</sup> במשך תקופה זו ביקרו שליחים רבים בצפון אפריקה. עיין י. מ. טולידאנו, תעודות מכתבי יד HUCA, כרך ד', עמ' 464.

<sup>6</sup> בשנת ת"ז הדפיס בוירונה ספרו, תחלת חכמה'. בשנת ת"י התחיל להדפיס שם את פירושו, עץ חיים' על המשנה. ובשנת ת"ו גמרו בליוורנו.

<sup>7</sup> עיין הערה 3. סדר נסיעתו היתה כנראה בצורה זו: יצא מפאס למצרים, ממצרים נסע לשאלוניקי וקושטא, שנתפרסמו כעריידפוס, ומשם הגיע לאיטליה. זו היתה דרכו של בן־עירו ר' אהרן אבן חיים הראשון (עיין מש"כ ב, אנציקלופדיה לחולדות גדולי ישראל', כרך א' עמ' 112).

## לתולדות בתי המדרש בירושלים במאה הי"ז

(פעולתם של ר' יעקב האגוז ומשה בנו לטובתם)

מאת

מאיר בניהו – ירושלים

מצבה של קהלת ירושלים במאה הי"ז הלך והתרופף; מאורעות שונים אירעו בה והביאו חליפות ותמורות במעמדה הכלכלי והרוחני. בשנת שפ"ה (1625), בזמנו של המושל העריץ אבן-פרוך, עברו על הקהלה גזרות ורדיפות שהוסיפו סבל על סבלה.<sup>1</sup> תנאי החיים הכלכליים הורעו במאד ויהודי ירושלים ניתרדלו. רבו הבורחים למקומות אחרים, לשאר ערי הארץ או לארצות חוץ. ירידה גדולה באה גם בחייה הרוחניים של ירושלים; פנה זיון של ישיבותיה המפורסמות, החכמים שבהן מתו או עזבו אותן ולא נותרו אלא בני דלת העם. זמן קצר לאחר מהומות אבן-פרוך, בשנת ת"ח לערך, באה על הקהלה מכה שניה, היא המגפה השחורה.<sup>2</sup> עוד הפעם הוכרחו רבים מיושביה לנרוד מירושלים ולהמלט על נפשם לרמלה. ראשי הקהלה שלחו שליחים לחוץ-לארץ להודיע ליהודי הגולה על מצוקתם ולבקש מהם עזרה.

### א

מדרש „בית יעקב“ מיסוד ווינה בירושלים. קהלת ליורנו שעמדה אז בעצם פריחתה הרבתה לתמוך בא"י והסבירה פנים לשליחיה; היא הגדילה לעשות בשעת משבר זאת. ביחוד הצטינו בפעולת התמיכה העשירים המפורסמים מבית ווינה – שלשת האחים אברהם ישראל, יעקב ורפאל – אשר מסחרם היה נפוץ גם מחוץ לערי איטליה וסניפי עסקיהם הגיעו לאמשטערס. הגבירים האלה חשבו להקים מוסד-קבע, בית מדרש גדול, בירושלים שיקל על מצוקתם של יושביה היהודים. למטרה זאת הקדישו סכומי כסף עצומים והפקידו אותם בבנקים של ליורנו ואמשטערס. למזלו של המוסד נודמן אז לליורנו ר' יעקב

1 עיין: „חרבות ירושלים“, וינציאה שצ'ו.

2 עיין: מ. בניהו, רבי שמואל נארמיזאן ותקופתו בירושלים. ירושלים תש"ה, עמ' 19.















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